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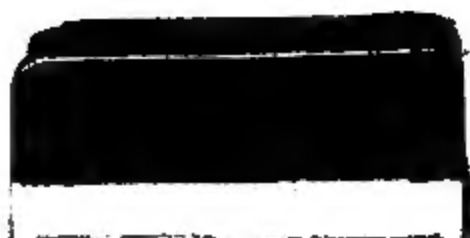
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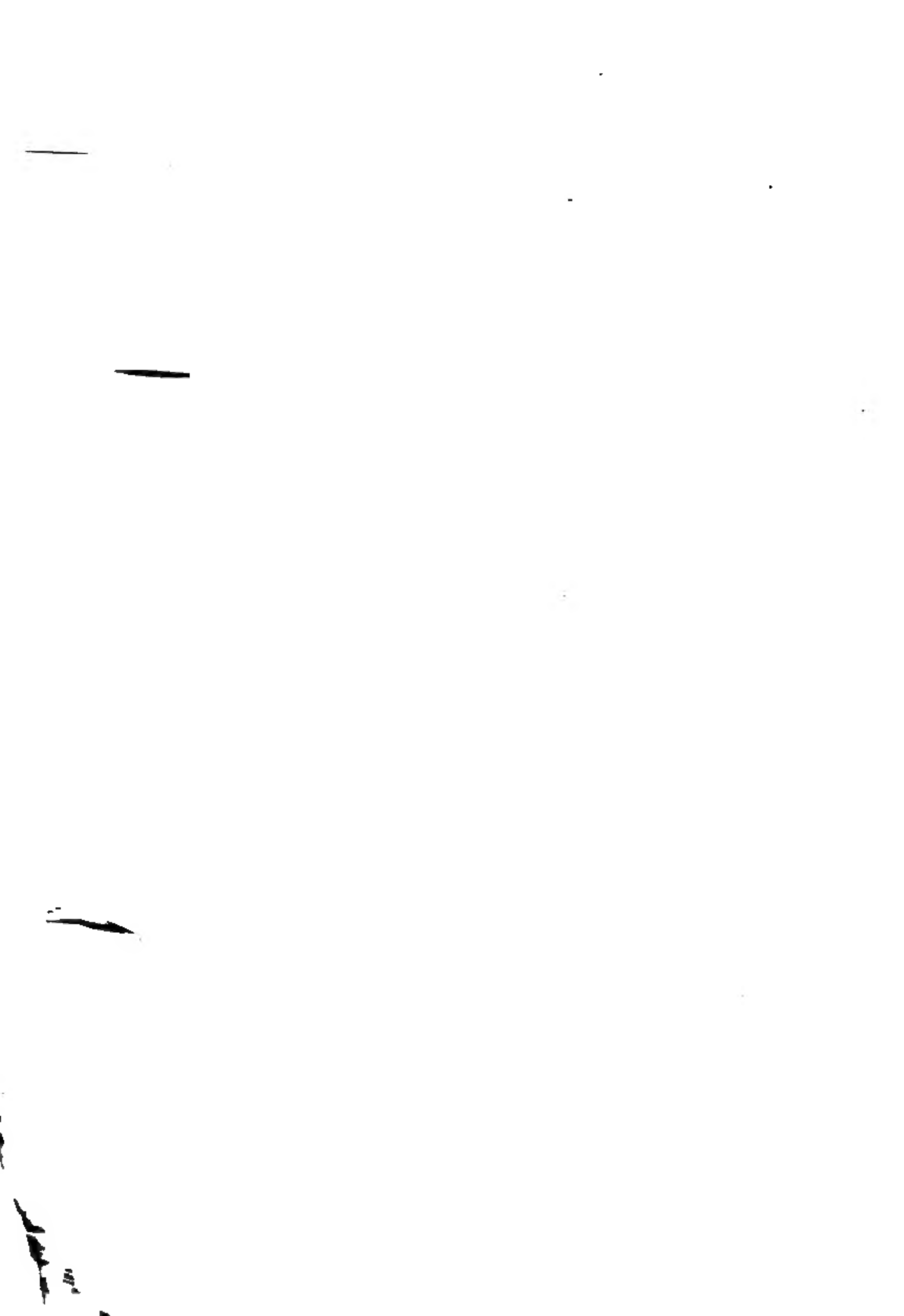
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JOURNAL
OF THE
SENATE

OF THE
TWENTY-FIFTH GENERAL ASSEMBLY

OF THE
STATE OF IOWA,

WHICH CONVENED AT THE CAPITOL AT DES MOINES,
JANUARY 8, 1894.

DES MOINES:
G. H. RAGSDALE, STATE PRINTER.
1894.

OFFICERS OF THE SENATE

President,
W. S DUNGAN,
Chariton.

Secretary,
E. R. HUTCHINS,
Des Moines.

| | | |
|------------------------------------|---------|-------------------------------|
| <i>First Assistant Secretary,</i> | - - | H. T. HENRYSON, Story City. |
| <i>Second Assistant Secretary,</i> | - | GEO. J. BARRETT, New Sharon. |
| <i>Engrossing Clerk,</i> | - - - - | OLIVE CONGER, Seymour. |
| <i>Enrolling Clerk,</i> | - - - - | CAPITOLA MARDIS, Osceola. |
| <i>Journal Clerk,</i> | - - - - | WILL. M. SANGER, Seymour. |
| <i>Journal Clerk,</i> | - - - - | THOS. E. COX, Des Moines. |
| <i>Sergeant-at-Arms,</i> | - - - - | S. W. SMITH, Mason City. |
| <i>File Clerk,</i> | - - - - | J. L. THOMPSON, Decatur City. |
| <i>Bill Clerk,</i> | - - - - | EVA LIVINGSTON, Washington. |
| <i>Postmistress,</i> | - - - - | FANNIE BEEBE, Des Moines. |
| <i>Doorkeeper,</i> | - - - - | G. W. HICKS, Creston. |

THE SENATE OF THE TWENTY-FIFTH GENERAL ASSEMBLY.

| | | |
|-------|----------------------|----------------|
| ..... | J. B. Gorrell..... | Newton. |
| ..... | T. A. Obear..... | Des Moines. |
| ..... | H. C. Boardman..... | Nevada. |
| ..... | J. D. Yeomans..... | Bloux City. |
| ..... | M. W. Harmon..... | Independence. |
| ..... | Rudolph Lehtedt..... | Denison. |
| ..... | I. W. Baldwin..... | Oasade. |
| ..... | John Everall..... | Farmersburg. |
| ..... | John E. Bowen..... | Clarion. |
| ..... | J. M. Rea..... | Grundy Center. |
| ..... | G. M. Craig..... | Allison. |
| ..... | L. B. Mattoon..... | Elgin. |
| ..... | O. F. Jewett..... | Polo Station. |
| ..... | C. C. Upton..... | Oreoso. |
| ..... | N. V. Brower..... | Garner. |
| ..... | W. B. Perrin..... | Charles City. |
| ..... | E. G. Penrose..... | Tama. |
| ..... | W. H. Dent..... | Le Mars. |
| ..... | A. B. Funk..... | Spirit Lake. |
| ..... | Warren Garst..... | Ooon Rapids. |
| ..... | L. H. Bishop..... | Matlock. |
| ..... | G. W. Henderson..... | Bellevue. |

Republicans—34.

Democrats—16. Total, 50.

* Hold overs, were Senators in Twenty-fourth General Assembly—24.

† Re-elected, was Senator in Twenty-third General Assembly—1.

‡ Was member of the House in Twenty-fourth General Assembly—1.

† Elected to fill vacancy: Sixteenth district, A. L. Hager, resigned; Thirty-first district, T. O. McCall, deceased; Thirty-ninth district, R. S. Smith, deceased—3.

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| 98—By Chantry. For the relief of James T. Ward. | |
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JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, January 8, 1894. }

Pursuant to law the Twenty-fifth General Assembly convened at two o'clock P. M., and was called to order by Lieutenant-Governor S. L. Bestow.

Rev. W. A. Black of Polk county, opened the session with prayer.

The roll call of senators holding over was then called and the following responded:

17th District—Andrews, H. F.
49th District—Bishop, L. H.
43d District—Brower, N. V.
8th District—Chantry, A. J.
14th District—Conaway, A. B.
46th District—Dent, W. H.
36th District—Everall, John.
6th District—Finn, Geo. L.
47th District—Funk, A. B.
24th District—Green, J. A.
19th District—Groneweg, Wm.
33d District—Harmon, M. W.
5th District—Harsh, J. B.
23d District—Hurst, Alfred.
11th District—Jamison, Jas. H.
41st District—Jewett, C. F.
25th District—Kelly, M. J.
4th District—Lewis, L. W.
40th District—Mattoon, L. B.
27th District—Oleson, O. M.
15th District—Perry, T. B.
3d District—Reynolds, E. M.
26th District—Terry, John M.

28th District—Turner, Geo. A.

2d District—Vale, B. R.

32d District—Yeomans, J. D.

The roll of newly elected senators was then called and the following responded:

35th District—Baldwin, I. W.

31st District—Boardman, H. C. (to fill vacancy).

20th District—Carpenter, C. A.

30th District—Cheshire, T. A.

39th District—Craig, Geo. M. (to fill vacancy).

1st District—Downey, John.

7th District—Eaton, William.

22d District—Ellis, L. A.

48th District—Garst, Warren.

29th District—Gorrell, J. R.

9th District—Harper, T. G.

50th District—Henderson, G. W.

21st District—Hipwell, C. G.

16th District—Kilburn, L. M. (to fill vacancy).

37th District—Lehfeldt, Rudolph.

10th District—Palmer, D. J.

45th District—Penrose, E. G.

44th District—Perrin, William B.

18th District—Phelps, Julian.

38th District—Rea, J. M.

12th District—Riggen, J. A.

37th District—Rowen, John E.

42d District—Upton, C. C.

13th District—Waterman, H. L.

On motion of Senator Conaway, seconded by Senator Kelly, E. R. Hutchins, of Polk county, was elected temporary secretary.

On motion of Senator Conaway, J. W. Lindsay, of Carroll county, was elected temporary assistant secretary.

On motion of Senator Conaway, F. G. Yeomans, of Wright county, was elected temporary sergeant-at-arms.

On motion of Senator Conaway, Gideon Hutchings, of Wright county, was elected temporary door-keeper.

On motion of Senator Conaway, James E. Reed, of Davis county, and Anderson Scott, of Wapello county, were elected temporary assistant door-keepers.

On motion of Senator Conaway, Miss May Buckley, Arthur G. Biederman, Walter A. McClure, Fred Staves and Damon Carter, were elected temporary pages.

The following resolution was offered by Senator Conaway:

Resolved, That the Lieutenant-Governor appoint one temporary page for himself.

Carried.

Earl Lewis was chosen as such page.

On motion of Senator Conaway, George D. Craig, John Early and Robert D. Turner, who are now in charge of the cloak room, were elected to temporarily fill these positions.

On motion of Senator Conaway, Senators Funk, Lewis, Finn, Oleson and Groneweg were appointed by the chair as a committee on credentials.

On motion of Senator Conaway, the following resolution was adopted:

Resolved, That the re-elected and hold-over Senators be permitted to take the seats occupied by them during the Twenty-Fourth General Assembly, if they so desire; all other Senators to draw seats by lot, unless they can otherwise agree among themselves what seats they shall occupy, except that Senators elected to fill vacancies, be accorded the privilege of their predecessors.

Senator Chantry moved that the names of hold-over senators who desire to change their seats, and newly elected senators, be put into a hat and drawn by the secretary, and that they then select their permanent seats.

Carried.

The following seats were chosen:

Andrews, 1; Baldwin, 32; Bishop, 41; Boardman, 35; Brower, 46; Carpenter, 49; Chantry, 36; Cheshire, 47; Conaway, 16; Craig, 5; Dent, 45; Downey, 43; Eaton, 21; Ellis, 44; Everall, 17; Finn, 42; Funk, 13; Garst, 37; Gorrell, 12; Green, 24; Groneweg, 30; Harmon, 38; Harper, 33; Harsh, 50; Henderson, 9; Hipwell, 19; Hurst, 4; Jamison, 20; Jewett, 34; Kelly, 31; Kilburn, 22; Lehfeltdt, 11; Lewis, 15; Mattoon, 3; Oleson, 23; Palmer, 26; Penrose, 7; Perrin, 28; Perry, 29; Phelps, 27; Rea, 40; Reynolds, 14; Rigger, 25; Rowen, 10; Terry, 2; Turner, 48; Upton, 18; Vale, 8; Waterman, 39; Yeomans, 6.

On motion of Senator Kelly the Senate adjourned until 10 o'clock to-morrow morning.

SENATE CHAMBER, }
DES MOINES, January 9, 1894. }

Senate met pursuant to adjournment, and was called to order by President Bestow.

Prayer was offered by Senator Rowen.

On motion of Senator Kelly the Senate took a recess of fifteen minutes.

Senate re-convened.

Senator Funk, chairman of committee on credentials, submitted report.

Report withdrawn.

Report re-submitted.

Senator Finn moved that the committee on credentials be instructed to report the names of all senators who are entitled to a seat in the Senate. Motion seconded by Senator Harsh.

Senator Perry called for the yeas and nays.

Carried.

Those voting yea were:

Senators Baldwin, Brower, Carpenter, Chantry, Conaway, Craig, Downey, Eaton, Finn, Gorrell, Harmon, Harsh, Henderson, Jewett, Palmer, Penrose, Rea, Reynolds, Rigger, Rowen, Turner, Vale—22.

Those voting nay were:

Senators Andrews, Everall, Groneweg, Harper, Hipwell, Hurst, Jamison, Kelley, Lewis, Mattoon, Perrin, Perry, Phelps, Upton—14.

Absent or not voting:

Bishop, Boardman, Cheshire, Dent, Ellis, Funk, Garst, Green, Kilburn, Lehfeltdt, Oleson, Terry, Waterman, Yeomans—14.

On the question of re-referring the report of committee on credentials the following was the vote:

The yeas were:

Senators Baldwin, Carpenter, Chantry, Cheshire, Conaway, Craig, Downey, Eaton, Finn, Gorrell, Harmon, Harsh, Henderson, Jewett, Palmer, Penrose, Rea, Reynolds, Rigger, Rowen, Turner, Vale—22.

The nays were:

Senators Andrews, Everall, Groneweg, Harper, Hipwell, Hurst,

Jamison, Kelly, Lewis, Mattoon, Perrin, Perry, Phelps, Upton—14.

Absent or not voting: .

Senators Bishop, Boardman, Brower, Dent, Ellis, Funk, Garst, Green, Kilburn, Lehfelddt, Oleson, Terry, Waterman, Yeomans—14.

Adopted.

Senator Brower offered the following resolution, action upon which was withheld until after recess:

Resolved, By the Senate, the House concurring: That Senators Cheshire, Conaway, Ellis and Kelly be appointed on behalf of the Senate to act in concert with a like committee from the House to make suitable arrangements for the inauguration of Governor and Lieutenant-Governor.

On motion of Senator Andrews the Senate took a recess of fifteen minutes.

Senate re-convened.

Senator Funk submitted report of the committee on credentials, as follows:

SENATE CHAMBER, January 9, 1894.

MR. PRESIDENT:—Your committee on credentials find the following named persons entitled to seats in this body.

First District—Jno. Downey.

Second District—B. R. Vale.

Third District—E. M. Reynolds.

Fourth District—L. W. Lewis.

Fifth District—J. B. Harsh.

Sixth District—Geo. L. Finn.

Seventh District—Wm. Eaton.

Eighth District—A. J. Chantry.

Ninth District—T. G. Harper.

Tenth District—D. J. Palmer.

Eleventh District—J. H. Jamison.

Twelfth District—J. A. Rikken.

Thirteenth District—H. L. Waterman

Fourteenth District—A. B. Conaway.

Fifteenth District—T. B. Perry.

Sixteenth District—L. M. Kilburn.

Seventeenth District—H. F. Andrews.

Eighteenth District—J. Phelps.

Nineteenth District—Wm. Groneweg.

Twentieth District—C. A. Carpenter.

Twenty-first District—C. G. Hipwell.

Twenty-second District—L. A. Ellis.

Twenty-third District—Alf. Hurst.

Twenty-fourth District—J. A. Green.

Twenty-fifth District—M. J. Kelly.

Twenty-sixth District—J. M. Terry.

Twenty-seventh District—O. M. Oleson.

Twenty-eighth District—G. A. Turner.

Twenty-ninth District—J. R. Gorrell.
 Thirtieth District—T. A. Cheshire.
 Thirty-first District—H. C. Boardman.
 Thirty-second District—J. D. Yeomans.
 Thirty-third District—M. W. Harmon.
 Thirty-fourth District—Rudolph Lehfeldt.
 Thirty-fifth District—J. W. Baldwin.
 Thirty-sixth District—Jno. Everall.
 Thirty-seventh District—J. E. Rowen.
 Thirty-eighth District—J. M. Rea.
 Thirty-ninth District—Geo. M. Craig.
 Fortieth District—L. B. Mattoon.
 Forty-first District—C. F. Jewett.
 Forty-second District—C. C. Upton.
 Forty-third District—N. V. Brower.
 Forty-fourth District—W. B. Perrin.
 Forty-fifth District—E. G. Penrose.
 Forty-sixth District—W. H. Dent.
 Forty-seventh District—A. B. Funk.
 Forty-eighth District—Warren Garst.
 Forty-ninth District—L. H. Bishop.
 Fiftieth District—G. W. Henderson.

| | | |
|--|---|------------|
| A. B. FUNK, O. M. OLESON, L. W. LEWIS, G. L. FINN, WM. GRONEWEG. | } | Committee. |
|--|---|------------|

Senator Conaway moved that the report be adopted and placed on file.

Carried.

The newly elected senators appeared at the bar of the House took and subscribed to the following oath.

You, and each of you, do solemnly swear to support the constitution of the United States and the constitution of the State of Iowa, and that you will faithfully discharge the duties of senators to the best of your ability.

Senator Conaway offered the following resolution:

Resolved—That the senate proceed to the election of permanent officers, and that in presenting candidates that names and locations only be given and that there be no nominating speeches.

Resolution adopted.

Senator Conaway moved that the Senate proceed to the election of Secretary of the Senate.

Carried.

Senator Conaway nominated E. R. Hutchins for secretary of the Senate.

Senator Dent is excused until next Tuesday.

Senator Groneweg seconded the nomination of E. R. Hutchins.

The following was the result of the roll call:

For Hutchins, those voting aye were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman—48.

Those voting nay were:

None.

Absent or not voting:

Senators Dent, Yeomans—2.

Senator Conaway nominated H. T. Henryson, of Story county, for first assistant secretary.

On roll call the yeas were:

Senators Andrews, Baldwin, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman—45.

The nays were:

None.

Absent or not voting:

Senators Bishop, Dent, Hipwell, Mattoon, Yeomans—5.

Senator Conaway nominated George J. Barrett, of Mahaska county, for assistant secretary of the Senate and moved his election.

Carried.

Senator Conaway nominated Miss Olive Conger, of Wayne county, for engrossing clerk.

Senator Groneweg nominated C. F. Swift, of Shelby county, for engrossing clerk.

On roll call those voting for Miss Conger were:

Senators Andrews, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Eaton, Ellis, Finn, Funk, Garst, Gorrell, Harmon, Harsh, Henderson, Jamison, Jewett, Kilburn, Lehfelddt, Lewis, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Rowen, Turner, Upton, Vale, Waterman—34.

Those voting for C. F. Swift were:

Senators Baldwin, Bishop, Everall, Green, Groneweg, Harper, Hipwell, Hurst, Kelly, Mattoon, Perry, Terry—12.

Absent or not voting:

Senators Dent, Downey, Oleson, Yeomans—4.

Senator Conaway nominated Miss Capitola Mardis, of Clarke county, for enrolling clerk.

Senator Groneweg nominated Miss Pearl Chamberlain for enrolling clerk.

On roll call, those voting for Miss Mardis were:

Senators Andrews, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Eaton, Ellis, Finn, Funk, Garst, Gorrell, Harmon, Harsh, Henderson, Jamison, Jewett, Kilburn, Lehfeldt, Lewis, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Rowen, Turner, Upton, Vale, Waterman—34.

Those voting for Miss Chamberlain were:

Senators Baldwin, Bishop, Everall, Green, Groneweg, Harper, Hipwell, Hurst, Kelly, Mattoon, Oleson, Perry, Terry—13.

Absent or not voting:

Senators Dent, Downey, Yeomans—3.

Miss Mardis was declared elected.

Senator Conaway nominated S. W. Smith, of Cerro Gordo county, for sergeant-at-arms.

Senator Groneweg nominated F. J. Yeomans, of Wright county, for sergeant-at-arms.

On roll call those voting for Smith were:

Senators Andrews, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Eaton, Ellis, Finn, Funk, Garst, Gorrell, Harmon, Harsh, Henderson, Jamison, Jewett, Kilburn, Lehfeldt, Lewis, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Rowen, Turner, Upton, Vale, Waterman—34.

Those voting for Yeomans were:

Senators Baldwin, Bishop, Everall, Green, Groneweg, Hurst, Kelly, Mattoon, Oleson, Perry, Terry, Harper—13.

Absent or not voting:

Senators Dent, Downey, Yeomans—3.

Smith was declared elected.

Senator Andrews moved that the Senate adjourn until 2 p. m. to-day.

Carried.

Division called for.

The vote on division resulted:

For adjournment, 18; against adjournment, 24.

So the Senate refused to adjourn.

Senator Conaway nominated G. W. Hicks, of Union county, for chief door-keeper.

Senator Groneweg nominated R. M. Tull, of Sioux connty, for the same position.

On roll call those voting for Hicks were:

Senators Andrews, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Finn, Funk, Garst, Gorrell, Harmon, Harsh, Henderson, Jamison, Jewett, Kilburn, Lehfeldt. Lewis, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Rowen, Turner, Upton, Vale, Waterman--32.

Those voting for Tull were:

Senators Baldwin, Bishop, Everall, Green, Groneweg, Harper, Hipwell, Hurst, Kelly, Mattoon, Oleson, Perry, Terry--13.

Absent or not voting:

Senators Dent, Downey, Eaton, Ellis, Yeomans--5.

Hicks was declared elected.

Senator Conaway nominated Mrs. Eva Livingstone, of Washington county, for bill clerk.

Senator Groneweg nominated Miss Mabel Moore for the same position.

On roll call those voting for Mrs. Livingstone were:

Senators Andrews, Boardman, Brower, Chantry, Conaway, Craig, Eaton, Finn, Funk, Garst, Gorrell, Harmon, Harsh, Henderson, Jamison, Jewett, Kilburn, Lehfeldt, Lewis, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Rowen, Turner, Upton, Vale, Waterman--31.

Those voting for Miss Moore were:

Senators Baldwin, Bishop, Everall, Green, Groneweg, Harper, Hipwell, Hurst, Kelly Mattoon, Oleson, Perry, Terry--13.

Absent or not voting:

Senators Carpenter, Cheshire, Dent, Ellis, Yeomans--6.

Mrs. Livingstone was declared elected.

Senator Conaway nominated J. L. Thompson, of Decatur county, for file clerk.

Senator Groneweg nominated John McCullough, of Muscatine county, for the same position.

On roll call, these voting for Thompson were:

Senators Andrews, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Eaton, Ellis, Finn, Funk, Garst, Gorrell, Harmon, Harsh, Henderson, Jamison, Jewett, Kilburn, Lehfeldt, Lewis, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Rowen, Turner, Upton, Vale, Waterman--33.

Those voting for McCullough were:

Senators Baldwin, Bishop, Everall, Green, Groneweg, Harper, Hipwell, Hurst, Kelly, Mattoon, Oleson, Perry, Terry--13.

Absent or not voting:

Senators Boardman, Dent, Downey, Yeomans— 4.

Thompson was declared elected.

Senator Conaway offered the following resolution:

Resolved, That John D. Peters, of Jasper county; George F. Root, of Humbolt county; P. E. Greer, of Page county; S. A. Moore, of Davis county; W. W. McKnight, of Madison county; H. Middlebrook, of Howard county; W. W. Wills, of Mills county, and Curtis Clark, of Lucas county, be and they are elected additional door-keepers of the Senate and assigned to duty as assistant door-keepers under direction of the chief door-keeper.

Resolution adopted.

Senator Conaway offered the following resolution:

Resolved, That Will M. Sanger, of Wayne county, and Thomas E. Cox, of Polk county, be and are hereby elected journal clerks of the Senate and assigned to duty under the direction of the secretary.

Resolution adopted.

Senator Conaway offered the following resolution:

Resolved, That James Weeks, of Wapello county, and Jeff Logan, of Polk county, be, and are hereby elected janitors, and assigned to duty and have charge of the cloak room; and George Burnaugh janitor of the Senate.

Resolution adopted.

Senator Conaway nominated Miss Fannie Beebe, of Dickinson county, for postmistress, and she was elected, there being no other nominations.

Senator Jamison offered the following resolution:

Resolved, That the assignment of seats to and supervision of reporters and representatives of the press be and the same is hereby delegated to the Secretary of the Senate.

Resolution adopted.

Senator Harsh offered the following resolution:

Resolved, by the Senate, the House concurring: That the clergymen of the city of Des Moines be invited to officiate as chaplains of the Senate and House of Representatives respectively, in such order as may be agreed upon; and that a joint committee, consisting of three senators and three representatives be appointed to co-operate with the clergymen aforesaid in making suitable arrangements for the service.

Senator Finn objected to present consideration of the resolution and under the rule it went over until to-morrow.

Senator Chantry offered the following resolution:

Resolved, That W. H. Mitchner be authorized to place a barber's chair in the cloak room of the Senate, at his own expense, for the convenience of the Senators, officers and employes of the Senate.

Resolution adopted.

Yesterday's journal was read, corrected and approved.

Senator Funk offered the following resolution:

Resolved, That Senators Boardman and Groneweg are hereby appointed to act with a like committee from the House for the nomination of a mail carrier.

Resolution adopted.

The newly elected officers appeared at the bar of the Senate and took the oath of office as follows:

E. R. Hutchins, secretary; H. T. Henryson, first assistant secretary; George J. Barrett, second assistant secretary; Miss Olive Conger, engrossing clerk; Miss Capitola Mardis, enrolling clerk; Will. M. Sanger and Thomas E. Cox, journal clerks; S. W. Smith, sergeant-at-arms; J. L. Thompson, file clerk; G. W. Hicks, door-keeper; John S. Peters, assistant door-keeper; George F. Root, assistant door-keeper; P. E. Greer, assistant door-keeper; S. A. Moore, assistant door-keeper; W. W. McKnight, assistant door-keeper; W. W. Wills, assistant door-keeper; Curtis Clark, assistant door-keeper.

On motion of Senator Mattoon the Senate adjourned until 3 o'clock P. M.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

Senator Conaway offered the following resolution:

Resolved, That a committee of three be appointed by the President to notify the Governor that the Senate is permanently organized and ready to receive any message he may desire to communicate.

Adopted.

The President appointed as such committee Senators Lewis, Everall and Mattoon.

The committee reported having performed its duty and was discharged.

The Governor's private secretary appeared and presented

A MESSAGE FROM THE GOVERNOR.

STATE OF IOWA, EXECUTIVE OFFICE. }
DES MOINES, January 9, 1894. }

MR. PRESIDENT—I am directed by the Governor to deliver to your honorable body a message in writing.

FRANK M. CARRELL,
Private Secretary.

The communication received, being the Governor's biennial message, was placed on file to be referred to the proper committee when appointed.

Senator Mattoon offered the following resolution:

Resolved, That a committee of three be appointed by the President to notify the House of Representatives that the Senate is organized, as required by law, and ready for business.

Adopted.

The President appointed as such committee Senators Mattoon, Bishop and Funk.

The report of the committee was received and the committee discharged.

Senator Everall moved that a mileage committee, consisting of three members be appointed by the President.

Carried.

The President appointed Senators Everall, Vale and Hurst.

Senator Lewis moved that the Senate do now adjourn to Wednesday, January 10th, at 10 A. M.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, January 10, 1894. }

Senate met pursuant to adjournment at 10 o'clock A. M., President Bestow in the chair.

Prayer by Rev. Turner, of Des Moines.

Senator Conaway offered the following preamble and resolution.

WHEREAS, By an edict of an inscrutable providence the hand of fate is heavily laid upon his Excellency, Governor Horace Boies, in the death of his affectionate and lovely daughter, Miss Jessica Boies; therefore, be it

Resolved, That the members of the Senate of the Twenty-fifth General Assembly of the State of Iowa hereby extend to Governor Horace Boies their heartfelt sympathy in his sad affliction and untimely bereavement, and that these resolutions be spread upon the records of the Senate, and that the secretary be instructed to send a copy to Governor Boies.

Adopted by a rising vote.

Senator Conaway offered the following resolution:

Resolved, That a committee of three be appointed by the chair to notify the House of Representatives that the Senate is ready to meet in joint session at 2 o'clock P. M., January 10, 1894, for the purpose of canvassing the vote for Governor and Lieutenant-Governor.

Resolution adopted.

The President named Senators Chantry, Craig and Baldwin as such committee.

The following officers appeared at the bar of the Senate and took the oath of office:

Miss Fannie Beebe, postmistress; H. Middlebrook, assistant door-keeper; Jeff. Logan and George Burnaugh, janitors.

Report of committee on canvassing vote was received and committee discharged.

Senator Harsh called up his resolution of yesterday relative to clergymen officiating as chaplains of the Senate.

Senator Finn offered an amendment to include all clergymen in the State.

The resolution as amended was adopted.

Committee on inauguration submitted report.

Report adopted.

Senator Lewis offered the following resolution:

Resolved, That the rules of the Senate of the Twenty-fourth General Assembly be in force and effect until the report of the standing committee on rules shall have been adopted.

Resolution adopted.

Senator Conaway offered the following resolution:

Resolved, That the sergeant-at-arms of the Senate be authorized to appoint an assistant to serve until the inaugural ceremonies are completed.

Resolution adopted.

Senator Harmon moved a reconsideration of the vote by which the report of the committee on inauguration was adopted.

By unanimous consent the report on inauguration was withdrawn.

Senator Lewis in the chair.

Representatives Page, Wyckoff and Jay appeared and notified the Senate that the House was organized and ready for business.

The Governor's private secretary appeared and presented

A MESSAGE FROM THE GOVERNOR.

STATE OF IOWA,
EXECUTIVE OFFICE,
DES MOINES, January 10, 1894. }

MR. PRESIDENT—I am directed by the Governor to deliver to your honorable body notification of a vacancy existing in the Board of Trustees of a State Institution.

FRANK M. CARRELL,
Private Secretary.

The Governor's private secretary appeared and presented

A MESSAGE FROM THE GOVERNOR.

STATE OF IOWA,
EXECUTIVE OFFICE.
DES MOINES, January 10, 1894. }

MR. PRESIDENT—I am directed by the Governor to deliver to your honorable body a special message relating to the suspension from office by him of an officer elected by the General Assembly.

FRANK M. CARRELL,
Private Secretary.

Yesterday's Journal was read, corrected and approved.

On motion of Senator Perry the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION

— —

Senate met pursuant to adjournment, President Bestow presiding.

Mrs. Eva Livingstone appeared at the bar of the Senate and took the oath of office as bill clerk.

Senator Palmer offered the following resolution:

Resolved by the Senate, the House concurring, That if the qualifications of all applicants for the position of mail carrier are equal that the preference should be given to an ex-union soldier.

Resolution adopted.

HOUSE MESSAGE.

Representatives Van Gilder, Smith and Dowell appeared and announced that the House was ready to receive the Senate in joint convention.

The hour having arrived for the joint session, the President requested the senators to accompany him in and for the sergeant-at-arms to draw the senators up in line.

Senator Harper was appointed to act as teller on the part of the Senate.

The Senate then went into joint convention.

JOINT CONVENTION.

The Senate appeared in joint convention. Lieutenant-Governor Bestow, President of the Senate, call the joint convention to order.

Senator T. G. Harper was announced as teller on the part of the Senate.

Representative H. O. Weaver was announced as teller on the part of the House.

The roll was then called and a majority of both houses was found to be present as follows:

Messrs. Allen, Andrews, Baldwin, Barker, Bell, Bishop, Blanchard, Boardman, Brinton, Britt, Brooks, Brower, Burnquist, Byers, Carpenter, Carter, Chantry, Chapman, Chassell, Cheshire, Coonley, Cooper of Montgomery, Cooper of Pottawattamie, Cornwall, Craig, Crow, Davison, Diederich, Doane, Doubleday, Dowell, Downey, Early, Eaton,

Ellis, Ellison, Endicott, Everall, Finch, Finn, Frazee, Funk of Dickinson, Funk of Hardin, Garst, Gorrell, Green, Griswold, Groneweg, Gurley, Harmon, Harper, Harsh, Haselton, Haugen, Henderson, Hinman, Hipwell, Homrighaus, Hoover, Jamison, Jester, Jewett, Jones, Kelly, Kilburn, Klemme, Lauder, Lehfeldt, Lewis, McCann, McGonigle, McNeeley, McQuinn, Mattoon, Miller of Cherokee, Miller of Lee, Milliman, Mitchell, Moore, Morris of Clarke, Morris of Sioux, Morrison, Murray, Myerly, Nicoll, Nietert, Oleson, Palmer, Patterson, Pattison, Penrose, Perrin, Perry, Phelps, Rea, Reed, Reynolds, Rigger, Rogge, Ross, Rowen, Saberson, Sawyer, Schultz, Shriver, Smith, Snoke, Sowers, Spaulding, Spearman, Steen, Stillmunkes, St. John, Stone, Stuntz, Terry, Trewin, Turner, Upton, Vale, Van Gilder, Waterman, Watkins, Watters, Weaver, Wilken, Williams of Fremont, Williams of Howard, Wilson, Wyakoff, Young of Calhoun, Young of Delaware—132.

Those not present were:

Bitterman, Conaway, Davis, Dent, Harriman, Horton, Hurst, Jay, Linderman, Martin, Ranck, Richardson, Robinson, Root, Sessions, Taylor, Wood, Yeomans—18.

The Speaker then opened the returns in the presence of the joint convention, which proceeded to canvass the vote cast for Governor and Lieutenant Governor at the election of 1893.

Senator Harsh, of Union, moved to take a recess until 8 o'clock P. M. Carried.

The joint convention met at 8 o'clock P. M.

The tellers reported, and the president of the convention announced the vote, in its presence as follows:

For Governor:

| | |
|--------------------------------|---------|
| Whole number votes cast..... | 415,810 |
| Frank D. Jackson received..... | 206,821 |
| Horace Boies received..... | 174,660 |
| J. M. Joseph received..... | 23,980 |
| Bennett Mitchell received..... | 10,349 |

And Frank D. Jackson was declared elected Governor of Iowa for the ensuing term.

On Lieutenant-Governor the president announced the vote as follows:

| | |
|---------------------------------|---------|
| Whole number of votes cast..... | 423,534 |
| Warren S. Dungan received..... | 208,726 |
| Samuel L. Bestow received..... | 171,822 |
| J. J. Anderson received.... | 24,266 |
| J. C. Reed received..... | 7,720 |

Warren S. Dungan was declared duly elected Lieutenant-Governor for the ensuing term.

The following certificates were duly signed in the presence of the convention.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, Wednesday January 4, 1894. }

This is to certify that upon a canvass in joint convention of the two Houses of the General Assembly of the state of Iowa, of the votes cast at the November election, A. D. 1893, for the office of Governor of the State of Iowa, it appeared that Frank D. Jackson received the highest number of votes cast for any one candidate at said election, for said office, and was therefore declared duly elected to said office, for the term of two years, and until his successor is elected and duly qualified.

Signed in the presence of the joint convention, this 10th day of January, A. D. 1894.

S. L. BESTOW.

President of the Senate, and President of the Joint Convention.

HENRY STONE,

Speaker of the House of Representatives.

ATTEST:

T. G. HARPER, *Teller for the Senate.*

H. O. WEAVER, *Teller for the House.*

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, Friday, January 10th, 1894. }

This is to certify that upon a canvass in joint convention of the two Houses of the General Assembly of the State of Iowa, of the votes cast at the November election, A. D. 1893, for the office of Lieutenant-Governor of the State of Iowa, it appeared that Warren S. Dungan received the highest number of votes cast for any one candidate at said election, for said office, and was therefore declared duly elected to said office, for the term of two years, and until his successor is elected and duly qualified.

Signed in the presence of the joint convention, this 10th day of January, A. D. 1894.

S. L. BESTOW,

President of the Senate, and President of the Joint Convention.

HENRY STONE,

Speaker of the House of Representatives.

ATTEST:

T. G. HARPER, *Teller for the Senate.*

H. O. WEAVER, *Teller for the House.*

On motion of Senator Kelly the joint convention was dissolved.

EVENING SESSION.

The President called the Senate to order.

Senator Everall, from Committee on Mileage, reported the following.

MR. PRESIDENT: Your committee on mileage beg leave to report the following as a list of Senators, and the mileage each is entitled to under the statute:

| NAMES. | Miles. | Amounts. | NAMES. | Miles. | Amounts. |
|--------------------------|--------|----------|------------------------|--------|----------|
| Lieut.-Gov. Bestow | 116 | \$ 5.80 | Senators—Hipwell | 350 | 17.50 |
| Senators—Andrews | 220 | 11.00 | Hurst | 504 | 25.20 |
| Baldwin | 384 | 19.20 | Jamison.. ... | 126 | 6.30 |
| Bishop | 400 | 20.00 | Jewett. | 350 | 17.50 |
| Boardman... .. | 90 | 4.50 | Kelly | 218 | 10.90 |
| Brower | 310 | 15.50 | Kilburn | 286 | 14.30 |
| Carpenter... .. | 314 | 15.70 | Lehfeldt | 294 | 14.70 |
| Chantry | 372 | 18.60 | Lewis | 274 | 13.70 |
| Cheshire ..... | ..... | ..... | Mattoon | 460 | 23.00 |
| Conaway | 140 | 7.00 | Oleson | 180 | 9.00 |
| Craig | 346 | 17.30 | Palmer | 250 | 12.50 |
| Dent | 432 | 21.60 | Penrose | 186 | 9.30 |
| Downey | 418 | 20.90 | Perrin | 260 | 14.00 |
| Eaton | 390 | 19.50 | Perry | 136 | 6.80 |
| Ellis | 450 | 22.50 | Phelps. | 170 | 8.50 |
| Everall | 660 | 33.00 | Rea | 200 | 10.00 |
| Finn | 310 | 15.50 | Reynolds.... | 308 | 15.40 |
| Funk | 400 | 20.00 | Riggen | 180 | 9.00 |
| Garst | 180 | 9.00 | Rowen | 204 | 10.20 |
| Gorrell | 70 | 3.50 | Terry | 300 | 15.00 |
| Green | 344 | 17.20 | Turner | 134 | 6.70 |
| Groneweg.... | 286 | 14.30 | Upton. | 538 | 26.90 |
| Harmon | 300 | 15.00 | Vale | 272 | 13.60 |
| Harper | 350 | 17.50 | Waterman.... | 180 | 9.00 |
| Harsh | 232 | 11.60 | Yeomans.... | 474 | 23.70 |
| Henderson... .. | 220 | 11.00 | | | |

Respectfully submitted

JOHN EVERALL,
B. R. VALE,
A. HURST. } Com. on Mileage.

Senator Everall moved that the report be adopted.
The motion carried and the report was adopted.

Senator Lewis introduced the following resolution:

Resolved, That the Secretary of the Senate is hereby authorized to have a telephone put in the Secretary's room for the use of the Senate.

Adopted.

Senator Cheshire, from Committee on Inauguration, submitted the following report:

Mr. President: Your committee appointed by concurrent resolution on inauguration, make the following report:

The inaugural ceremonies will be held in the rotunda of the Capitol, at 2:30 P. M., Thursday, January 11th. The military escort will receive the Governor, Lieutenant-Governor and party at the Savery Hotel, at 2 P. M. and proceed to the capitol building, where the military will open order, and the Governor, Lieutenant-Governor and party will pass through the stage erected in the rotunda and be seated.

The Senate will assemble in the Senate chamber and the House in Representative hall at 2:15 P. M. and will then proceed to the rotunda and take seats.

PROGRAMME

Music—Iowa State Band.

Invocation—Rev. B. F. Cozier.

Music—Iowa State Band.

Administration of oath of office—Chief Justice Granger.

Inaugural address—Governor Frank D. Jackson.

Music—Iowa State band.

The joint convention of the Senate and House will then be dissolved. The capitol building will be open from 8 till 10 o'clock P. M., and an informal reception will be held by the Governor, Lieutenant-Governor and Speaker of the House in the rooms of the Governor.

The ceremonies of inauguration will be held under the direction and control of Adjutant-General Greene. The public will be admitted to the capital building at all the doors except at the east front. No tickets will be required for admission.

The stage and rotunda will be decorated by Custodian Carpenter and his assistants.

We further report that we have authorized the Adjutant-General to provide as a military escort the two Des Moines companies of State guards; also the commissioned officers of the State guards for the occasion. We have also authorized the Adjutant-General to provide such carriages as may be necessary for the use of the Governor, Lieutenant-Governor, ex-Governors of the State and party. Also to employ the Iowa State Band to furnish music for the occasion.

We request that the assistant doorkeepers be required to report to Custodian Carpenter at 1 o'clock P. M., and be under his direction during the ceremonies of inauguration.

THOMAS A. CHESHIRE,

Chairman of the Senate Committee.

L. C. BLANCHARD,

Chairman of the House Committee.

Adopted.

On Motion of Senator Perry the Senate adjourned till 2 o'clock P. M. to-morrow.

SENATE CHAMBER,
DES MOINES, Thursday, January 11, 1894. }

Senate met in regular session at two o'clock, P. M. In the absence of the President, Secretary Hutchins called the body to order.

Prayer was offered by Senator Rowan.

Senator Chantry moved the nomination of Senator Finn as temporary President. There being no other nominations, upon vote Senator Finn was elected temporary President.

Senator Finn in the chair.

The Governor's private secretary appeared and presented

A MESSAGE FROM THE GOVERNOR.

STATE OF IOWA,
EXECUTIVE OFFICE,
DES MOINES, January 10, 1894. }

MR. PRESIDENT—I am directed by the Governor to deliver to your honorable body his report of the reprieves, commutations and pardons granted, and the fines and forfeitures remitted during the biennial term ending with this day; also, a report of applications for pardon by persons convicted of the crime of murder in the first degree.

FRANK M. CARRELL,
Private Secretary.

The following concurrent resolution was offered by Senator Carpenter:

CONCURRENT RESOLUTION IN RELATION TO THE PENITENTIARY AT FT.
MADISON.

Resolved by the Senate, the House of Representatives concurring, That a committee be appointed, consisting of one from the Senate and two from the House, to whom shall be referred the special message from his Excellency the Governor, in relation to the penitentiary at Ft. Madison, and that said committee submit their report to the General Assembly as early as may be consistent with a proper investigation of the same.

Senator Mattoon moved that the Senate take a recess, subject to the call of the presiding officer.

Carried.

Senate re-convened.

Senator Carpenter moved to amend the resolution to read "two from the Senate and three from the House."

The resolution as amended was adopted.

The Senate took a recess of five minutes.

Senate re-convened.

The hour having arrived for the joint convention, the President announced that the Senate proceed in a body to the rotunda of the capitol to inaugurate the Governor and Lieutenant-Governor.

JOINT CONVENTION.

Lieutenant-Governor Bestow, President of the Senate, took the chair as president of the joint convention, and called it to order at 3:15 o'clock P. M.

Music by the Iowa State Band.

Prayer was offered by Rev. B. F. Crozier.

The oath of office was duly administered, in the presence of the joint convention, to Governor-elect Frank D. Jackson, and Lieutenant-Governor-elect Warren S. Dungan, by Chief Justice Granger, of the Supreme Court of Iowa.

His Excellency, Frank D. Jackson, then delivered his inaugural address.

Music by the Iowa State Band.

On motion of President Bestow the joint convention was dissolved.

Senate re-convened at 4:20 o'clock P. M.

Senator Kelly moved that a committee of two be appointed to wait upon the Lieutenant-Governor and escort him to the chair.

Carried.

Senators Kelly and Harsh were appointed as such committee.

Lieutenant-Governor Dungan was then introduced to the Senate.

President Bestow then took leave of the senators, saying:

SENATORS: I should be less than human did I not at this time of parting say to you that I highly appreciate your courtesy and kindness the few days I have had the honor of presiding over your deliberations. It, I assure you, is reciprocal on my part. You, each and all, have my heartiest wishes for your personal welfare, and hoping that your session may be both pleasant and profitable to you and the people of Iowa, I have the honor of presenting to you, as your President, Warren S. Dungan, Lieutenant-Governor of Iowa.

Upon taking the chair and assuming the gavel, President Dungan addressed the Senate in the following language:

Senators: On assuming the duties devolving upon me as your presiding officer I do so with mingled feelings of distrust and of hope. Of distrust in my own ability and want of experience in the duties of the position to meet your expectations or to meet my own laudable ambition to perform well my part. Of hope, because when I look over this assembly, and recognize so many old and experienced

senators, whom the people have so long honored with their confidence, I know that I will have their forbearance and counsel in the discharge of these duties. And when I remember that some of the new members have had experience in the other branch of the General Assembly, and that all are men of high standing in their respective districts, I feel assured that the task of guiding your deliberations will be rendered comparatively an easy one. The first duty of a presiding officer is to carry out the will of the body over which he presides. This is especially the case where he is not himself a member of the body. The lieutenant-governor is not a member of the Senate; he has no direct legislative powers except in the contingency of a tie vote, which may never occur. He is responsible only for the good order, regularity and dispatch of business. He determines the course of proceedings, and passes upon the rules of order in the first instance, subject always to the approval of the Senate. Here, too, the Senate is supreme. The indirect legislative power devolving on the presiding officer is in the formation of the standing committees. This is the most difficult and perplexing duty devolving upon him. My purpose has been to deal fairly with all parties, with all localities and with all contending interests. I have done the best I could. I do not indulge the hope that I have satisfied the just ambition of every member, nor that I have fully recognized the true ability of each. Indeed, I think that would be impossible. There are fewer chairmanships than there are worthy members to fill them. Here "there is not room for all at the top." Former legislative service and standing on committees must have recognition. Mistakes are more liable to occur with new members. It would be strange indeed if they did not.

In the discharge of my official duties as your presiding officer, I will endeavor as far as possible to divest myself of all partiality and favoritism. To know no party, no section and no interest above another. You have been chosen by the sovereign people to do their bidding. You each stand upon complete equality as to your powers and duties, as well as to your responsibility to your constituents, and hence should enjoy equal opportunities in the discharge of your official duties.

You are, for the time being, the architects of the State. Your predecessors have laid well its foundation in our constitution, and its superstructure, in the statutes enacted in pursuance thereof. It is your high prerogative to strengthen and beautify this structure. It will be my pleasure and highest ambition to impartially guide your deliberations in the discharge of these high duties, indulging the hope that the Senate of the Twenty-fifth General Assembly, as to the high character of its individual membership and the wisdom of its work, may go down to the future fully abreast, if not in advance, of any in the history of our beloved State.

The president appointed the following pages: Gerald Brant, John M. Blair, Lee Blackburn, John E. Stout, Walter A. McClure, Thaddeus K. Pierce.

The pages with the exception of John E. Stout, appeared and were sworn in.

Senator Lewis offered the following resolution:

Resolved, That the Senate of the Twenty-fifth General Assembly extend to the retiring Lieutenant-Governor our cordial thanks for his uniform kindness, courteous and impartial treatment of all members during our temporary organization, and that we express the same by a standing vote.

The resolution was adopted by a rising vote.

Yesterday's journal was read, corrected and approved.

Senator Kelly moved that the Senate do now adjourn until 10
A. M. to-morrow.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, Friday, January 12, 1894. }

Senate met in regular session at 10 o'clock A. M. In the absence of the President, Secretary Hutchins called the body to order.

Prayer was offered by Senator Rowen.

Senator Conaway moved that Senator Lewis act as presiding officer. Carried.

Senator Lewis in the chair.

The regular order of business was called for.

Senator Conaway offered the following resolution:

Resolved, That Hon. Geo. L. Finn be and is hereby elected President *pro tem.* of the Senate during its present session.

Resolution adopted.

Senator Finn on taking the chair expressed his gratitude to the Senate for the honor conferred upon him.

Senator Conaway offered the following resolution:

Resolved, That the pay of the journal clerks be the same per diem as paid during the last session of the Legislature.

Resolution adopted.

Senator Brower offered the following concurrent resolution:

CONCURRENT RESOLUTION IN RELATION TO BADGES.

Resolved by the Senate, the House of Representatives concurring, That the Secretary of State be authorized to purchase suitable badges for the sergeant-at-arms of the House and Senate, and a sufficient number of badges for the door keepers and pages of both Houses.

Resolution adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolutions, in which the concurrence of the Senate is asked:

1. Relative to joint committee on mail carrier.
2. Relative to appointing committees to visit the various State institutions.
3. Relative to furnishing a copy of Miller's or McLain's Code for the use of each member of the Twenty-fifth General Assembly.

I. K. WILSON,
Chief Clerk.

Concurrent resolutions from the House passed on file.

Senator Lewis offered the following concurrent resolution and moved its immediate consideration:

CONCURRENT RESOLUTION IN REGARD TO VISITING COMMITTEES.

Resolved by the Senate, the House concurring, That there be appointed committees to visit the several State institutions and the Benedict home; each of said committees to be composed of three members, one from the Senate and two from the House; said committees to report to the General Assembly on or before Tuesday, February 6.

They shall examine and include in their report:

FIRST. Whether the appropriations made by the Twenty-fourth General Assembly have been wisely and economically expended for the objects for which they were appropriated.

SECOND. Whether any indebtedness has been contracted in excess of the appropriations.

THIRD. Whether there has been any diversion of any money from the specific purpose for which it was appropriated.

FOURTH. Whether the law relating to the drawing of money from the State treasury has been complied with.

FIFTH. Said committees shall report a complete list of employes of each institution with their compensation including any other compensation in addition to their salaries and make recommendations in regard thereto.

SIXTH. Said committees shall investigate and report as to the necessity for any new buildings, repairs, changes or improvement that may be asked by the board representing the several institutions.

SEVENTH. Whether in making the purchases for the use of the institutions the principle of competitive bids is applied in such a manner as to conserve the best interests of the State.

Each committee shall have power, and are hereby directed to examine any person under oath, if they deem it necessary, in order to obtain any information called for by this resolution.

John E. Stout appeared at the bar of the Senate and was sworn in as page.

On motion of Senator Vale the consideration of the concurrent resolution, relative to the appointment of committees to visit State institutions, was postponed until after the announcement of the standing committees.

Senator Harsh offered the following resolution:

Resolved, That the Lieutenant-Governor be authorized to appoint an additional page for his and the Secretary's use.

Resolution adopted.

Senator Couaway offered the following resolution:

WHEREAS, The incoming President of the Senate has, by virtue of his office, a large correspondence, extending to all parts of the State, and his time is taken up with his legitimate duties and require his constant attendance, therefore, be it

Resolved, That the President of the Senate be and is hereby authorized and empowered to employ a clerk to act during the session of the Senate.

Resolved, That such clerk shall receive the same *per diem*, which shall be drawn in the same manner, as now allowed by law for committee clerks.

Resolution adopted.

Lieutenant-Governor Dungan in the chair.

Lieutenant-Governor Dungan furnished the Secretary of the Senate the list of the committee appointments, which were read, and are as follows:

WAYS AND MEANS.

Senator Harsh.
Senator Vale.
Senator Funk.
Senator Boardman.
Senator Turner.
Senator Perrin.
Senator Ellis.
Senator Waterman.

Senator Carpenter.
Senator Henderson.
Senator Groneweg.
Senator Dent.
Senator Everall.
Senator Oleson.
Senator Bishop.

JUDICIARY.

Senator Harmon.
Senator Finn.
Senator Andrews.
Senator Jamison.
Senator Ellis.
Senator Cheshire.
Senator Eaton.
Senator Carpenter.

Senator Craig.
Senator Perrin.
Senator Rea.
Senator Phelps.
Senator Upton.
Senator Perry.
Senator Harper.

APPROPRIATIONS.

Senator Lewis.
Senator Funk.
Senator Brower.
Senator Vale.
Senator Harsh.
Senator Ellis.
Senator Phelps.
Senator Eaton.

Senator Garst.
Senator Craig.
Senator Mattoon.
Senator Baldwin.
Senator Groneweg.
Senator Yeomans.
Senator Downey.

SUPPRESSION OF INTEMPERANCE.

Senator Funk.
Senator Turner.
Senator Boardman.
Senator Conaway.
Senator Ellis.
Senator Carpenter.

Senator Jamison.
Senator Upton.
Senator Oleson.
Senator Groneweg.
Senator Mattoon.
Senator Downey.

RAILWAYS.

Senator Brower.
Senator Chantry.
Senator Jewett.
Senator Reynolds.
Senator Jamison.
Senator Palmer.
Senator Penrose.
Senator Harmon.

Senator Carpenter.
Senator Rigger.
Senator Harper.
Senator Terry.
Senator Hurst.
Senator Yeomans.
Senator Hipwell.

INSURANCE.

Senator Turner.
 Senator Jamison.
 Senator Lewis.
 Senator Conaway.
 Senator Henderson.
 Senator Penrose.

Senator Kilburn.
 Senator Rowen.
 Senator Rea.
 Senator Harper.
 Senator Hipwell.
 Senator Dent.

CONGRESSIONAL AND JUDICIAL DISTRICTS.

Senator Jamison.
 Senator Harsh.
 Senator Turner.
 Senator Upton.
 Senator Andrews.
 Senator Reynolds.

Senator Cheshire.
 Senator Lewis.
 Senator Bishop.
 Senator Kelly.
 Senator Perry.
 Senator Harper.

AGRICULTURE.

Senator Vale.
 Senator Turner.
 Senator Palmer.
 Senator Chantry.
 Senator Jewett.
 Senator Boardman.
 Senator Henderson.
 Senator Gorrell.

Senator Cheshire.
 Senator Lehfelddt.
 Senator Bishop.
 Senator Everall.
 Senator Downey.
 Senator Hipwell.
 Senator Hurst.

LABOR.

Senator Cheshire.
 Senator Turner.
 Senator Gorrell.
 Senator Reynolds.
 Senator Lewis.
 Senator Rikken.

Senator Rea.
 Senator Phelps.
 Senator Bishop.
 Senator Everall.
 Senator Hurst.
 Senator Terry.

CHARITABLE INSTITUTIONS.

Senator Chantry.
 Senator Phelps.
 Senator Garst.
 Senator Penrose.
 Senator Lehfelddt.

Senator Rowen.
 Senator Groneweg.
 Senator Perry.
 Senator Downey.

SCHOOLS.

Senator Carpenter.
 Senator Vale.
 Senator Kilburn.
 Senator Phelps.
 Senator Garst.
 Senator Rea.

Senator Gorrell.
 Senator Eaton.
 Senator Perry.
 Senator Mattoon.
 Senator Everall.
 Senator Hipwell.

CITIES AND TOWNS.

Senator Waterman.
 Senator Cheshire.
 Senator Ellis.
 Senator Palmer.
 Senator Harmon.
 Senator Penrose.

Senator Perrin.
 Senator Green.
 Senator Hipwell.
 Senator Perry.
 Senator Kelly.
 Senator Harper.

PUBLIC HEALTH.

Senator Conaway.
 Senator Reynolds.
 Senator Vale.
 Senator Gorrell.
 Senator Rikken.

Senator Waterman.
 Senator Mattoon.
 Senator Oleson.
 Senator Groneweg.

EDUCATIONAL INSTITUTIONS.

| | |
|------------------|-------------------|
| Senator Finn. | Senator Reynolds. |
| Senator Harmon. | Senator Bishop. |
| Senator Andrews. | Senator Dent. |
| Senator Penrose. | Senator Yeomans. |
| Senator Perrin. | |

MINES AND MINING.

| | |
|-------------------|-----------------|
| Senator Reynolds. | Senator Garst. |
| Senator Perrin. | Senator Perry. |
| Senator Rikken. | Senator Kelly. |
| Senator Vale. | Senator Oleson. |
| Senator Lewis. | |

SENATORIAL AND REPRESENTATIVE DISTRICTS.

| | |
|--------------------|------------------|
| Senator Henderson. | Senator Upton. |
| Senator Jewett. | Senator Terry. |
| Senator Waterman. | Senator Baldwin. |

COMPENSATION OF PUBLIC OFFICERS.

| | |
|------------------|------------------|
| Senator Kilburn. | Senator Jewett. |
| Senator Rea. | Senator Mattoon. |
| Senator Craig. | Senator Baldwin. |

HIGHWAYS.

| | |
|-------------------|------------------|
| Senator Boardman. | Senator Gorrell. |
| Senator Andrews. | Senator Terry. |
| Senator Conaway. | Senator Everall. |
| Senator Rikken. | Senator Green. |
| Senator Rowen. | |

CONSTITUTIONAL AMENDMENTS AND SUFFRAGE.

| | |
|--------------------|------------------|
| Senator Palmer. | Senator Harmon. |
| Senator Kilburn. | Senator Dent. |
| Senator Rowen. | Senator Downey. |
| Senator Lewis. | Senator Baldwin. |
| Senator Henderson. | |

ELECTIONS.

| | |
|------------------|------------------|
| Senator Jewett. | Senator Rikken. |
| Senator Andrews. | Senator Yeomans. |
| Senator Brower. | Senator Baldwin. |

CLAIMS.

| | |
|--------------------|------------------|
| Senator Gorrell. | Senator Craig. |
| Senator Andrews. | Senator Harper. |
| Senator Lehfelddt. | Senator Yeomans. |
| Senator Eaton. | Senator Dent. |
| Senator Henderson. | |

CORPORATIONS.

| | |
|--------------------|------------------|
| Senator Craig. | Senator Penrose. |
| Senator Rikken. | Senator Hipwell. |
| Senator Carpenter. | Senator Baldwin. |

PUBLIC BUILDINGS.

| | |
|------------------|-----------------|
| Senator Garst. | Senator Brower. |
| Senator Conaway. | Senator Green. |
| Senator Finn. | Senator Terry. |

MANUFACTURES.

Senator Groneweg.
 Senator Conaway.
 Senator Lehfeldt.

Senator Waterman.
 Senator Harper.
 Senator Green.

MILITARY.

Senator Andrews.
 Senator Chantry.
 Senator Palmer.

Senator Brower.
 Senator Everall.
 Senator Mattoon.

RULES.

Senator Perrin.
 Senator Harmon.
 Senator Finn.

Senator Brower.
 Senator Bishop.
 Senator Kelly.

BANKS.

Senator Ellis.
 Senator Harsh.
 Senator Finn.

Senator Lewis.
 Senator Dent.
 Senator Green.

PRINTING.

Senator Upton.
 Senator Funk.
 Senator Jamison.

Senator Cheshire.
 Senator Baldwin.
 Senator Yeomans.

COMMERCE.

Senator Penrose.
 Senator Chantry.
 Senator Garst.

Senator Rowen.
 Senator Hurst.
 Senator Yeomans.

RETRENCHMENT AND REFORM.

Senator Lehfeldt.
 Senator Finn.
 Senator Funk.

Senator Kilburn.
 Senator Hipwell.
 Senator Terry.

FEDERAL RELATIONS.

Senator Eaton.
 Senator Harsh.
 Senator Waterman.
 Senator Boardman.
 Senator Brower.

Senator Craig.
 Senator Downey.
 Senator Hurst.
 Senator Green.

PENITENTIARIES AND PARDONS.

Senator Rowen.
 Senator Waterman.
 Senator Craig.

Senator Gorrell.
 Senator Kelly.
 Senator Yeomans.

HORTICULTURE AND FORESTRY.

Senator Terry.
 Senator Palmer.

Senator Kilburn.

PHARMACY.

Senator Riggins.
 Senator Funk.
 Senator Vale.
 Senator Turner.
 Senator Lehfeldt.

Senator Henderson.
 Senator Oleson.
 Senator Bishop.
 Senator Terry.

FISH AND GAME.

Senator Rea.
Senator Funk.

| Senator Kelly.

PUBLIC LANDS.

Senator Perry.
Senator Boardman.

| Senator Eaton.

LIBRARY.

Senator Dent.
Senator Funk.

| Senator Harmon.

ENGROSSED BILLS.

Senator Kelly.
Senator Jewett.

| Senator Upton.

ENROLLED BILLS.

Senator Phelps.
Senator Chantry.

| Senator Hurst.

The concurrent resolution relative to the appointment of visiting committees was taken up.

Senator Andrews moved to amend as follows:

Provided, That no member shall be placed upon a committee for an institution located within the district of such member.

The amendment was adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House.

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the resolution in relation to mail carrier, in which the concurrence of the House was asked.

I. K. WILSON,
Chief Clerk.

Senator Harsh moved the immediate consideration of House messages.

The President ruled the motion out of order.

Senator Harsh moved to substitute the House message for the Senate concurrent resolution under discussion.

Ruled out of order.

Senator Ellis moved that further consideration of the resolution be postponed until after action upon the House message, and that the consideration of the House message in reference to this subject be now entered upon by the Senate.

The yeas and nays being called for, the following is the vote:

Those voting yea were:

Senators Brower, Carpenter, Cheshire, Eaton, Ellis, Groneweg, Kilburn, Palmer, Perrin, Rea, Reynolds, Riggen—13.

Those voting nay were:

Senators Andrews, Baldwin, Bishop, Boardman, Chantry, Conway, Craig, Downey, Everall, Finn, Funk, Garst, Gorrell, Green, Harmon, Harper, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Lewis, Oleson, Penrose, Perry, Phelps, Rowen, Turner, Upton, Vale, Waterman, Yeomans—33.

Absent or not voting:

Senators Dent, Lehfeltdt, Mattoon, Terry—4.

So the resolution was lost.

On the passage of the concurrent resolution the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Chantry, Conway, Craig, Downey, Everall, Finn, Funk, Garst, Groneweg, Harmon, Harper, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Lehfeltdt, Lewis, Mattoon, Oleson, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Turner, Upton, Vale, Waterman.—37.

Those voting nay were:

Senators Brower, Carpenter, Cheshire, Eaton, Ellis, Gorrell, Green, Harsh, Kilburn, Palmer, Yeomans.—11.

Absent or not voting:

Senators Dent, Terry.—2.

So the resolution was adopted.

Senator Hurst sent the following telegram to the Secretary's desk, and asked that it be read:

MILES, IOWA, Jan. 12, 1894.

SENATOR A. HURST:

Hon. George F. Green, a member of the Iowa territorial legislature in 1846, of the State Legislature in 1852, and a member of the State Senate in 1859, died at his home in Miles this morning at — o'clock; funeral at 11 o'clock Sunday morning.

MRS. A. R. DARLING,

Miles Reporter.

Senator Brower moved that the President appoint a committee of three to draft appropriate resolutions on the death of ex-Senator Green.

Carried.

The President appointed Senators Brower, Hurst and Cheshire as such committee.

Senator Andrews offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That the Secretary of State be directed to furnish suitable stationery for the use of the members of the Senate and House.

Senator Finn moved to amend to make it a joint, instead of a concurrent, resolution.

Carried.

JOINT RESOLUTION NO. 1.

Be it resolved by the General Assembly of the State of Iowa, That the Secretary of State be directed to furnish suitable stationery for the use of the members of the Senate and House.

Resolution read a first and second time and referred to committee on judiciary.

Senator Harper introduced the following resolution:

Resolved, That the President of the Senate appoint a committee to draft resolutions of condolence in the case of the death of Hon. B. J. Hall, of Burlington, Iowa, a former member of this body, whose death occurred January 6, 1894, and that copy of said resolutions be mailed by the secretary to the widow of the said deceased ex-member.

Resolution adopted.

The President appointed Senators Harper, Harsh and Brower as such committee.

Leave of absence was granted Senator Hipwell until Tuesday; Senators Gorrell and Harsh until Monday.

The President announced that he had appointed Chas. A. Roberts, of Ft. Dodge, as his private secretary.

The President appointed Charles P. Lewis as page.

Charles B. Lewis appeared before the bar of the Senate and was sworn in as page.

Yesterday's journal was read, corrected and approved.

Senator Reynolds moved that the Senate do now adjourn until 10 o'clock A. M. to-morrow.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Saturday, January 13, 1894. }

Senate met in regular session at 10 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. Dr. Frisbie.

INTRODUCTION OF BILLS.

By Senator Groneweg, Senate file No. 1, a bill for an act to legalize the levy and the taxes levied by the board of supervisors of Pottawattamie county for the years 1888, 1889 and 1890.

Read first and second times and referred to the Committee on Judiciary.

By Senator Conaway, Senate file No. 2, a bill for an act to regulate coal mines, coal miners, coal owners and operators, within the State of Iowa.

Read first and second time and referred to Committee on Mines and Mining.

By Senator Brower, Senate file No. 3, a bill for an act to provide for county local option in the sale and manufacture and sale of spirituous, malt, fermented and vinous liquors, and the granting of permits therefor.

Read first and second times and referred to Committee on Suppression of Intemperance.

By Senator Waterman, Senate file No. 4, a bill for an act providing salaries for justices of the peace and constables, in lieu of fees in criminal cases, in townships having a population of over four thousand, and repealing section 592 of the Code of Iowa.

Read first and second times and referred to Committee on Compensation of Public Officers.

By Senator Waterman, Senate file No. 5, a bill for an act relating to the assessment of taxes of savings and other banks, and to prohibit such banks from investing their funds or capital in stock, bonds, interest-bearing notes or certificates of the United States, and to repeal all acts or parts of acts in conflict with this act.

Read first and second times and referred to Committee on Banks and Banking.

By Senator Rikken, Senate file No. 6, a bill for an act to provide for better security of depositors in state and savings banks organized under the laws of Iowa.

Read first and second times and referred to Committee on Banks and Banking.

By Senator Perry, Senate file No. 7, a bill for an act to prevent insurance trusts and combines and providing punishment for the same

Read first and second times and referred to Committee on Judiciary.

By Senator Baldwin, Senate file No. 8, a bill for an act to prevent the destruction of food fishes, and to prohibit the use of seines and explosives and other devices except hook and line and bait nets.

Read first and second times and referred to Committee on Fish and Game.

By Senator Boardman, Senate file No. 9, a bill for an act to promote the improvement of highways, and amendatory to section 969 of the Code of Iowa of 1873, and chapter 200 of the acts of the Twentieth General Assembly.

Read first and second times and referred to Committee on Highways.

By Senator Harper, Senate file No. 10, a bill for an act to amend section 4440 of the Code of Iowa in reference to instructions to juries.

Read first and second times and referred to Committee on Judiciary.

By Senator Harper, Senate file No. 11, a bill for an act relating to peremptory challenges to jurors in criminal cases.

Read first and second times and referred to Committee on Judiciary.

By Senator Harper, Senate file No. 12, a bill for an act authorizing cities of the first class to purchase or condemn any lands within the limits of such city for the purpose of embankments where streets cross ravines.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Harper, Senate file No. 13, a bill for an act to amend 963 of the Code of Iowa relating to costs in case of appeal in the establishment of highways.

Read first and second times and referred to Committee on Highways.

By Senator Palmer, Senate file No. 14, a bill for an act to repeal chapter 62 of the acts of the Twenty-fourth General Assembly, and to provide for the publication and distribution of the report of the Iowa Academy of Sciences.

Read first and second times and referred to Committee on Horticulture and Forestry.

By Senator Palmer, Senate file No. 15, a bill for an act to amend Section 1119 of the Code of Iowa of 1873 with respect to the publication of the annual report of the Iowa State Horticultural Society.

Read first and second times and referred to Committee on Horticulture and Forestry.

By Senator Rikken, Senate file No. 16, a bill for an act to provide for the printing of ballots under the suffrage law.

Read first and second times and referred to Committee on Constitutional Amendments.

By Senator Waterman, Senate file No. 17, a bill for an act providing salaries for sheriffs and their deputies.

Read first and second times and referred to Committee on Compensation of Public Officers.

By Senator Waterman, Senate file No. 18, a bill for an act to amend chapter forty-eight (48), of the acts of the Twenty-second General Assembly, relating to elections held within cities and the registration of voters therein.

Read first and second times and referred to Committee on Cities and Towns.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and concurred in the following concurrent resolution, in which the concurrence of the Senate is asked: In relation to appointing committees to visit the several State institutions and the Benedict Home.

Per J. O. LENNING,
First Assistant Clerk.

I. K. WILSON,
Chief Clerk.

AMENDMENT.

The following amendment was offered by Representative Martin, of Adair, and adopted: That the several committees inquire whether the times of the drawing of their money from the State Treasurer can be postponed to correspond with the payment of the taxes by the counties to the state without serious detriment to said institutions.

Senator Lewis moved that the House amendment be concurred in.
Carried.

Senator Waterman introduced a joint resolution proposing to amend section 9, article 1, of the Constitution of the State of Iowa, and to provide for its reference and publication.

Referred to Committee on Constitutional amendments.

Senators Mattoon, Carpenter, Dent, Jamison and Green were excused.

Senator Harper offered the following resolution.

DES MOINES, January 2, 1894.

Whereas, The All-Wise Providence has seen fit to remove by death Hon. B. J. Hall, an ex-member of this body, and one of the eminent members of the bar of this State; therefore be it

Resolved, That this body, recognizing the eminent services of deceased in many

capacities in this State and nation, and especially as a member of this body, do hereby extend to the sorrowing wife and friends of the deceased our sincere sympathy and condolence.

Resolved, That these resolutions be printed in the Senate journal, and a copy of the same be mailed by the Secretary to the widow of the deceased.

T. G. HARPER,
N. V. BROWER,
J. B. HARSH,
Committee.

Adopted by rising vote.

Senator Brower offered the following preamble and resolution:

WHEREAS, In the fullness of years the Hon. George F. Green, who was a member of the Iowa Territorial Legislature in 1846, of the State Legislature in 1852, and a member of the Senate in 1859, has been called from earth to his final reward, be it, by this Senate,

Resolved, That the members of this body hereby extend their heartfelt sympathy to the surviving relatives, express their sorrow at the demise of the old pioneer legislator, who was conspicuous among that class of early Iowa legislators to whom the State owes much; that these resolutions be spread upon the records of the Senate and the secretary be instructed to send a copy to the bereaved family.

N. V. BROWER,
THOMAS A. CHESHIRE,
A. HURST,
Committee.

Resolution adopted by rising vote.

Senator Perry moved that the last biennial message and inaugural address of the Governor be referred to the appropriate committees by the President of the Senate.

Carried.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolutions, in which the concurrence of the Senate is asked:

1. In relation to supplying members of the General Assembly with Miller's or McLain's Codes.
2. In relation to the appointment of a committee to investigate the advisability of sending out visiting committees.
3. In relation to the selection of a mail carrier.

J. K. WILSON,
Chief Clerk.

The Senate took up the House messages.

Senator Perry moved that the concurrent resolution relative to supplying members of the General Assembly with Miller's or McClain's Codes, be referred to the Judiciary Committee.

Carried.

Senator Groneweg moved that the House concurrent resolution relative to the selection of a mail carrier be concurred in.

Carried.

Senator Lewis moved that the House concurrent resolution relative to the appointment of a committee to investigate the advisability of sending out visiting committees be laid on the table.

Carried.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the resolution in relation to mail carrier, in which the concurrence of the House was asked.

I. K. WILSON,
Chief Clerk.

The following message from Governor Boies was taken up:

TO THE GENERAL ASSEMBLY—In accordance with the requirements of the statutes I herewith transmit to you notification of a vacancy existing in the Board of Trustees for the Iowa School for the Deaf, caused by the resignation of C. S. Ranck, elected for the term ending May 1, 1896, and temporarily filled by the appointment of J. H. Stubenrauch, which is required to be filled by the General Assembly.

HORACE BOIES, *Governor.*

Referred to Committee on Elections.

The report of Governor Boies of reprieves, commutations and pardons granted was taken from the table and on motion referred to Committee on Penitentiaries and Pardons.

Senator Funk offered the following resolution:

Resolved, That a committee of three be appointed to assign rooms to the several standing committees of the Senate.

The President appointed as such committee Senators Funk, Brower and Kelly.

Senator Conaway offered the following resolution:

Resolved, That Roy Hollins be elected messenger to carry messages between the door and this body, and be subject to the order of the chief door-keeper.

Resolution adopted.

CONCURRENT RESOLUTION RELATIVE TO FURNISHING SUPPLIES TO MEMBERS
AND CLERKS BY SENATOR REYNOLDS.

Resolved by the Senate, the House concurring, That the Secretary of State be instructed to furnish backings or covers for complete files of the bills and journals for members, clerks and reporters.

Resolution adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following concurrent resolutions:

Relative to clergymen officiating as chaplains in the respective houses.

Also: Relative to badges for sergeant-at-arms, etc , of both houses.

I. K. WILSON,

Chief Clerk.

Per J. O. LEMING,

First Assistant Clerk.

Passed on file.

Senator Craig moved to take up House messages.

Carried.

The concurrent resolution relative to clergymen officiating as chaplains in the respective houses was read for information.

The President appointed as committee provided on this concurrent resolution, Senators Rowen, Ellis and Groneweg.

Yesterday's Journal read, corrected and approved.

Senator Brower offered the following resolution:

Resolved, That all reporters for newspapers having seats in this body shall be entitled to draw stationery supplies to the amount of one dollar per week during this session, upon the order of the Secretary of the Senate.

Resolution adopted.

Senator Perry moved that the Senate do now adjourn until 4 o'clock P. M., Monday, January 15, 1894.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, Monday, January 15, 1894. }

Senate met in regular session at 4 o'clock P. M., and was called to order by President Dungan.

Prayer was offered by Rev. Mr. Bufkin.

INTRODUCTION OF BILLS.

By Senator Baldwin, Senate file No. 19, a bill for an act creating the Nineteenth Judicial District, and providing for the election of two District judges therein; and also for the election of two District Judges in the Tenth Judicial District.

Read first and second times and referred to Committee on Congressional and Judicial Districts.

By Senator Bishop, Senate File No. 20, a bill for an act to prevent monopolies in articles of general necessity.

Read first and second times and referred to Committee on Judiciary.

By Senator Bishop, Senate File No. 21, a bill for an act in regard to the professional instruction of common school teachers in normal and high schools.

Read first and second times and referred to Committee on Educational Institutions.

By Senator Brower, Senate File No. 22, a bill for an act for the protection of passengers and employes on railroad cars against murder and robbery.

Read first and second times and referred to Committee on Judiciary.

By Senator Perry, Senate file No. 26, a bill for an act to prevent the assignment of certain claims and demands for the purpose of evading the exemption laws of this State, to punish violations, and providing that non-residents when sued by attachment, may, in certain cases, be entitled to the benefit of the law exempting their earnings.

Read first and second times and referred to Committee on Judiciary.

By Senator Rea, Senate file No. 27, a bill for an act to repeal Chapter 103 of the acts of the Twenty-first General Assembly of the State of Iowa, relating to release of judgments, mortgages and deeds

of trust by administrators, executors, and guardians in other states and countries, and to enact a substitute therefor.

Read first and second times and referred to Committee on Judiciary.

Senator Jamison introduced the following resolution:

HEADQUARTERS JAMES RUDOLPH Post No. 116, }
INDIANOLA, IOWA, January 2, 1894. }

To the Honorable, the Legislature of the State of Iowa:

GENTLEMEN—At the regular meeting of this Post held December 30, 1893, the following preamble and resolution were unanimously adopted, viz.:

WHEREAS, The State of Iowa has never been represented in the United States Senate by any one who served in the Union army during the late war; therefore be it

Resolved, That we feel it is due the citizen soldiers of this State that some one of their number should be selected as the successor of the Hon. James T. Wilson in the Senate of the United States. To that end we earnestly request the members of the legislature to use all honorable means to secure the election of some one of the worthy, capable and esteemed ex-soldiers aspiring to that position, and especially do we commend this request to the Senator and Representative from this district.

In taking this action we expressly disclaim any intention of in the least disparaging the character or fitness of any of the other worthy men seeking the honors of that office.

C. F. KEABLES,

Senior Vice-Commander, Acting Commander.

Attest: A. L. Ogg,
Post Adjutant.

INTRODUCTION OF BILLS.

By Senator Conaway, Senate file No. 23, a bill for an act to establish a board of inspectors for steam boilers, and to provide for licensing engineers of steam engines.

Read first and second times and referred to Committee on Manufactures.

By Senator Finn, Senate file No. 24, a bill for an act to regulate banking in the State of Iowa, and to provide for the establishment and examination of private banks.

Read first and second times and referred to Committee on Banks.

By Senator Hipwell, Senate file No. 25, a bill for an act to provide for the improvement of county roads.

Read first and second times and referred to Committee on Highways.

Passed on file.

Senator Craig introduced the following resolution:

Resolved, That the President of the Senate appoint a committee to draft resolutions of condolence on the death of Hon. R. S. Smith, of Parkersburg, Iowa, a member of the Twenty-fourth General Assembly.

Resolution adopted.

The President appointed Senators Craig, Everall and Yeomans as such committee.

Senator Funk submitted the following report from the committee on rooms:

MR. PRESIDENT—Your committee appointed to assign the committee rooms for the various committees of the Senate, beg leave to report that the rooms assigned to committees by the last Senate be occupied by the same committees during this session. It is also recommended that the journal clerks be assigned to room No. 24, and that room No. 25 be assigned to the Secretary of the Senate.

A. B. FUNK,
N. V. BROWER,
M. J. KELLY,

Committee.

Report adopted.

The President announced that he had appointed Miss Ida Kittleman and Mrs. Ella Babcock as paper folders.

Miss Ida Kittleman and Mrs. Ella Babcock appeared at the bar of the Senate and were sworn in as paper folders.

The President sent to the Secretary's desk and had read the list of visiting committees as follows:

VISITING COMMITTEES.

Agricultural College—Senator Kilburn.

Benedict Home—Senator Rowen.

College for the Blind—Senator Mattoon.

Fish Hatching House—Senator Baldwin.

Hospital for the Insane at Mt. Pleasant—Senator Conaway.

Hospital for the Insane at Independence—Senator Riggen.

Hospital for the Insane at Clarinda—Senator Finn.

Reform School at Eldora—Senator Everall.

Reform School at Mitchellville—Senator Penrose.

Iowa School for the Deaf—Senator Perry.

Institution for the Feeble-Minded—Senator Eaton.

Penitentiary at Anamosa—Senator Ellis.

Penitentiary at Ft. Madison—Senator Waterman.

Soldiers' Home—Senator Phelps.

Orphans' Home at Davenport—Senator Hurst.

State Normal School—Senator Upton.

State University—Senator Funk.

The Industrial Home for the Blind—Senator Harper.

Yesterday's journal was read, corrected and approved.

Senator Boardman introduced the following resolution:

Resolved, That the President of the Senate appoint a committee to draft resolutions of condolence on the death of Hon. T. C. McCall, of Nevada, Iowa, a former member of the Ninth, Nineteenth, Twentieth and Twenty-fourth General Assemblies.

Adopted.

The President named as such committee Senators Boardman, Finn and Perry.

Senator Andrews moved that hereafter the post-office be kept open from 10 o'clock A. M. until 12 o'clock M. on Sundays.

Carried.

Senator Finn moved that the per diem of the bill clerk be fixed at \$4.00 per day.

Carried.

Senator Vale moved that a committee of five from the standing committees be appointed by the President to revise the schedule of time for holding committee meetings.

Senator Lewis moved to amend by inserting the words "rooms for meeting and time for meeting."

The amendment was carried.

The original motion as amended was carried.

The President appointed as such committee Senators Harsh, Harmon, Lewis, Funk and Brower.

Senator Conaway moved that the Senate do now adjourn until to-morrow morning at 10 o'clock.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, January 16, 1894. }

Pursuant to adjournment, the Senate met at 10 o'clock A. M.
President Dungan in the chair.

Prayer was offered by Rev. W. H. Patterson.

INTRODUCTION OF BILLS.

By Senator Bishop, Senate file No. 28, a bill for an act to revise and amend revenue and taxation laws of this State; amendatory of Code, Title 4, Chapter 9, relating to townships and township officers; Title 5, Chapter 5, relating to qualification for office; Title 6, Chapters 1 and 2, relating respectively to the assessment and to the collection of taxes; Title 10, Chapter 5, pertaining to railroads, and Title 23, Chapter 2, pertaining to the compensation of county and township officers, and Chapter 60 of the Acts of the Fifteenth General Assembly, relating to savings banks.

Read first and second times and referred to Committee on Ways and Means.

By Senator Everall, Senate file No. 29, a bill for an act to amend sections 969, 975, 981, 987 and 996 of the Code, relative to the meeting of township trustees for settlement with road supervisors.

Read first and second times and referred to Committee on Highways.

By Senator Funk, Senate file No. 30, a bill for an act to amend Section 3275, Chapter 2, Title 20 of the Code of 1873.

Read first and second times and referred to Committee on Judiciary.

By Senator Funk, Senate file No. 31, a bill for an act to provide for the better protection of life and property by the inspection of all traction, portable and semi-portable steam boilers used in this State, for the purpose of threshing grain and grass seeds, shelling corn and grinding feed, sawing wood and lumber, and to provide for the licensing of engineers of such steam boilers.

Read first and second times and referred to Committee on Agriculture.

By Senator Garst, Senate file No. 32, a bill for an act to legalize

the ordinances passed by the incorporate town of Templeton, Carroll County, Iowa.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Oleson, Senate file No. 33, a bill for an act to legalize the proceedings of the town council of the incorporated town of Lake City, Iowa, in establishing a system of water works, the issuing of bonds in payment thereof, and to legalize the ordinances and resolutions passed and adopted by the town council and to legalize the elections held to vote upon the question of establishing a system of water works in said town of Lake City, Iowa.

Read first and second times and referred to Committee on Judiciary.

By Senator Palmer, Senate file No. 34, a bill for an act to amend section one of article two of the constitution of the State of Iowa and to provide for its reference and publication.

Read first and second times and referred to Committee on Constitutional Amendments and Suffrage.

By Senator Palmer, Senate file No. 35, a bill for an act conferring on women the right to vote at municipal elections.

Read first and second times and referred to Committee on Constitutional Amendments and Suffrage.

Senator Hipwell offered the following joint resolution:

JOINT RESOLUTION NO. 3.

Memorial and joint resolution, relative to the construction of a canal from Mississippi river to the Illinois river, at Hennepin, in the state of Illinois:

WHEREAS, Cheap transportation between Mississippi river and the Atlantic seaboard, is a question of vital interest to the people of the northwestern states, and especially the State of Iowa, and

WHEREAS, A waterway or canal from Hennepin, in the Illinois river to the Mississippi river at the mouth of Rock river, has been located, surveyed and partially constructed, now, therefore

Be it resolved by the General Assembly of the State of Iowa:

That our Senators and Representatives in congress are requested to use their active influence to secure, and to vote for such appropriations as will insure the completion of said canal at the earliest possible date.

Resolved, That the Secretary of State be, and is hereby instructed to forthwith transmit a copy hereof to each of our Senators and Representatives in congress from Iowa.

Read first and second times and referred to Committee on Federal Relations.

Senator Harsh, of the special committee on the assignment of rooms, submitted report.

Senator Finn moved that the reading of the report be dispensed with.

Carried.

Report of committee, with recommendation, is as follows:

MR. PRESIDENT: Your committee to fix times of meeting for standing committees report as follows:

ASSIGNMENT OF ROOMS FOR COMMITTEES AND TIME OF MEETINGS.

| | Monday. | Tuesday. | Wednesday. | Thursday. | Friday. | Saturday. |
|------------------------------------|---------|----------|------------|-----------|---------|-----------|
| Room 16— | | | | | | |
| Insurance..... | 4 p. m. | | | | 4 p. m. | |
| Banks..... | | 4 p. m. | | 4 p. m. | | |
| Fish and Game..... | | | 4 p. m. | | | |
| Room 17— | | | | | | |
| Mines and Mining..... | | 3 p. m. | | 3 p. m. | | 3 p. m. |
| Retrenchment and Reform..... | | | | | | 2 p. m. |
| Public Lands..... | | | | | | |
| Room 18— | | | | | | |
| Suppression of Intemperance..... | 9 a. m. | | 9 a. m. | | 3 p. m. | |
| Highways..... | | 2 p. m. | | 2 p. m. | | |
| Horticulture and Forestry..... | | | | | | |
| Room 19— | | | | | | |
| Schools..... | | 9 a. m. | | 9 a. m. | | 9 a. m. |
| Penitentiaries and pardons..... | | | | | 4 p. m. | |
| Constitutional Amendments..... | | | | 4 p. m. | | |
| Claims..... | 3 p. m. | | | | 4 p. m. | |
| Room 20— | | | | | | |
| Congressional and Jud. Dist. | 9 a. m. | | | | | 9 a. m. |
| Senatorial and Rep. Districts..... | | | | | 9 a. m. | |
| Manufactures..... | | | | | | |
| Public Buildings..... | | | | | | |
| Room 21— | | | | | | |
| Educational Institutions..... | | 2 p. m. | | 2 p. m. | | |
| Commerce..... | | | | 3 p. m. | | |
| Railways..... | | 4 p. m. | | 4 p. m. | | 4 p. m. |
| Room 22— | | | | | | |
| Judiciary..... | | 3 p. m. | 3 p. m. | 3 p. m. | 3 p. m. | |
| Charitable Institutions..... | 4 p. m. | | 4 p. m. | | | |
| Rules..... | | | | | | |
| Room 23— | | | | | | |
| Agriculture..... | 3 p. m. | | 4 p. m. | | 4 p. m. | |
| Labor..... | 4 p. m. | | | 4 p. m. | | |
| Federal Relations..... | | 9 a. m. | | 9 a. m. | | |
| Military..... | | | 3 p. m. | | 3 p. m. | |
| Room 24— | | | | | | |
| Enrolled Bills..... | | | | | | |
| Engrossed Bills..... | | | | | | |
| Elections..... | | | 3 p. m. | | | 4 p. m. |
| Room 26— | | | | | | |
| Public Health..... | | 3 p. m. | | 3 p. m. | | |
| Corporations..... | | | | | | 9 a. m. |
| Pharmacy..... | | 9 a. m. | | | | |
| Room 28— | | | | | | |
| Ways and Means..... | | 2 p. m. | | 2 p. m. | | 2 p. m. |
| Appropriations..... | 2 p. m. | | 2 p. m. | | 2 p. m. | |
| Library..... | | | | | | |
| Room 29— | | | | | | |
| Cities and Towns..... | 2 p. m. | | 2 p. m. | | 2 p. m. | |
| Printing..... | | 9 a. m. | | | | 3 p. m. |
| Compensation Public Officers..... | 4 p. m. | | | | 3 p. m. | |

We further report that the file clerk be allowed the use and occupancy of room twenty-six. All of which is respectfully submitted.

J. B. HARSH,
N. V. BROWER,
L. W. LEWIS,
A. B. FUNK,
M. W. HARMON,

Committee.

The report of committee was adopted.

Senator Finn moved that the Senate proceed to the election of a United States Senator.

Carried.

Senator Harmon nominated John H. Gear.

Senator Harper nominated Horace Boies.

On roll call those voting for John H. Gear were:

Senators Andrews, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Eaton, Ellis, Finn, Funk, Garst, Gorrell, Harmon, Harsh, Henderson, Jamison, Jewett, Kilburn, Lehfeldt, Lewis, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Riggen, Rowen, Turner, Upton, Vale, Waterman—34.

Those voting for Horace Boies were:

Senators Baldwin, Bishop, Downey, Everall, Groneweg, Harper, Hipwell, Mattoon, Oleson, Perry, Yeoman—11.

Absent or not voting:

Senators Dent, Green, Hurst, Kelly, Terry—5.

John H. Gear having received a majority of the votes cast, was declared duly elected on the the part of the Senate, to the office of United States Senator for the term of six years, beginning March 4, 1895.

Senator Perrin introduced the following resolution.

HEADQUARTERS MARBLE ROCK POST No. 308, G. A. R. }
MARBLE ROCK, IOWA, Jan. 4, 1894. }

WHEREAS, The present Commissioner of Pensions, has within the past year suspended some of the pensioners within the jurisdiction of this Post in a wanton manner, which we find to be the case, after making a thorough investigation of the matter, therefore be it

Resolved, That this action in suspending without notice, those who are worthy, and directly charging all of our comrades on the pension rolls, with being frauds, merits our contempt and we denounce such charges as maliciously false, and we ask our members in the Legislature to pass such resolutions as will place the Iowa soldiery in a proper and true light before the people of the United States, and before the world.

Resolved, That a copy of this resolution be forwarded to our members of the Legislature, now in Des Moines.

WM. B. CRABTREE,
Adjutant.

S. J. ACKLEY,
Commander.

Passed on file.

Senator Finn offered the following concurrent resolution and moved its adoption:

Resolved by the Senate, the House concurring. That a joint convention be held in the hall of the House on Wednesday, the 17th, at 12:00 o'clock M., as required by law.

Resolution adopted.

Yesterday's journal was read, corrected and approved.

Senator Harsh moved that the State Printer be instructed to furnish to the Senate in card form, one hundred copies of the schedule of assignment of rooms and times of meeting of committees.

Carried.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following concurrent resolution, in which the concurrence of the House was asked:

Relative to supplying the Senate and House with necessary covers for bills and journal files.

2. Relative to the Governor's special message in regard to the Ft. Madison penitentiary.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following concurrent resolution in which the concurrence of the House was asked:

Relative to a joint convention for the purpose of comparing the journal of the two Houses on the election of United States Senator.

I. K. WILSON,
Chief Clerk.

Senator Andrews moved that the Senate do now adjourn until 10 o'clock tomorrow morning.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, Wednesday, January 17, 1894. }

Senate met in regular session at 10 o'clock A. M. and was called to order by President Dungan.

Prayer was offered by Rev. Charles B. Cook.

Leave of absence was granted to Senators Rowen, Rea, Harsh, Harper, Phelps and Reynolds.

INTRODUCTION OF BILLS.

By Senator Conaway, Senate file No. 36, a bill for an act to provide a substitute for Chapter 6 of Title 9 of the Code of 1873, for establishing and governing mutual loan and building associations.

Read first and second times and referred to Committee on Banks and Banking.

By Senator Lewis, Senate file No. 37, a bill for an act to amend Section 963 of the Code of 1873, relative to costs in appeals in highway cases.

Read first and second times and referred to Committee on Highways.

By Senator Turner, Senate file No. 38, a bill for an act to amend Chapter 70 of the Code of the Twentieth General Assembly; also Chapter 42 of the Twenty-second General Assembly, relating to damage done by dogs.

Read first and second times and referred to Committee on Agriculture.

By Senator Vale, Senate file No. 39, a bill for an act making an appropriation for the support of the Iowa Weather and Crop Service.

Read first and second times and referred to Committee on Appropriations.

Senator Funk offered the following resolution and moved its adoption:

Resolved, That the membership of the Committee on Suppression of Intemperance be increased to fifteen, and that the additional members be appointed by the President of the Senate.

Resolution adopted.

The President appointed as such additional members of the committee, Senators Harmon, Harsh and Waterman.

The President appointed Senator Gorrell in place of Senator Mattoon to visit the College for the Blind at Vinton.

Senator Finn offered the following concurrent resolution:

CONCURRENT RESOLUTION IN RELATION TO ADJOURNMENT.

Resolved by the Senate, the House concurring, that an adjournment of either House or Senate of this Legislature may be made this day (January 17), until 4 P. M. of Tuesday, January 23, 1894.

Resolution adopted.

MESSAGES FROM THE HOUSE.

The following messages were received from the House.

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following concurrent resolution in which the concurrence of the House was asked:

Relative to a joint convention for the purpose of comparing the journals of the two Houses on the election of United States senator.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following concurrent resolutions in which the concurrence of the House was asked:

Relative to supplying the Senate and House with necessary covers for bills and journal files.

2d. Relative to the governor's special message in regard to the Ft. Madison Penitentiary.

I. K. WILSON,
Chief Clerk.

The President announced the reference of Governor Boies' biennial message to the committees, as follows :

The recommendations contained in Governor Boies' biennial message are under the instructions of the Senate, referred to committees as follows, to-wit:

Revision of our Revenue Laws—To Committee on Ways and Means.

Control of State Institutions—To Committee on Charitable Institutions, Educational Institutions, Penitentiaries and Pardons.

The Care of the Insane—To Committee on Public Health.

Industrial Schools—To Committee on Charitable Institutions.

Institutions of Learning—To Committee on Educational Institutions.

Normal and Training Schools—To Committee on Educational Institutions.

County Roads—To Committee on Highways.

National Guard at Pomeroy—To Committee on Appropriations.

Corporations—To Committee on Corporations.

State Printer—To Committee on Printing.

Prohibition—To Committee on Suppression of Intemperance.

The recommendations contained in Governor Jackson's inaugural address are referred to committees as follows:

The Jury System—To the Committee on Judiciary.

Improvement of Public Highways—To the Committee on Highways.

Prohibitory Laws—To the Committee on Suppression of Intemperance.

Labor and Capital—To the Committee on Labor.

State Memorial to Iowa Soldiery—To Committee on Military.

REPORTS OF COMMITTEES.

Senator Harmon, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House Concurrent Resolution in reference to the purchase of codes for the Twenty fifth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be amended, as follows: That said codes be purchased at a cost not to exceed nine dollars for McClain's code and supplements, and not to exceed six dollars for Miller's code, and that when so amended the resolution be adopted.

M. W. HARMON,
Chairman.

Report adopted.

Senator Perrin, from the Committee on Rules, submitted the following report:

MR. PRESIDENT—Your Committee on Rules beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the rules as used by the Twenty-fourth General Assembly be adopted.

WM. B. PERRIN,
Chairman.

Report adopted.

Senator Boardman from the special committee to select mail carrier, submitted the following report:

To the Senate of the Twenty-fifth General Assembly:

Your joint committee appointed to select a mail carrier for service during the session of the Twenty-fifth General Assembly, beg leave to report that they have selected Mr. A. G. West, of Jasper County, Iowa, who has been a soldier in the union army.

H. C. BOARDMAN,
WM. GRONEWEG,
Committee on the part of the Senate.
M. E. BITTERMAN,
HENRY YOUNG,
J. W. LAUDER,
Committee on the part of the House.

Report adopted.

Yesterday's journal was read, corrected and approved.

The President appointed Senators Reynolds and Mattoon as a committee on the special message from Governor Boies in relation to the penitentiary at Ft. Madison.

Senator Lewis moved that the Senate take a recess subject to the call of the chair.

Carried.

Senate reconvened.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body, that the House has passed the following concurrent resolutions, in which the concurrence of the Senate is asked.

- Relative to the pay of journal clerks, file clerks, bill clerks and Speaker's clerk.
2. Relative to joint rules of the Twenty-fifth General Assembly.
3. Relative to printing of rules, etc.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution, in which the concurrence of the Senate is asked.

Relative to the adjournment of the Senate and House.

I. K. WILSON,
Chief Clerk.

Senator Funk moved to take up House messages.

Carried.

Senator Lewis moved that the concurrent resolution in reference to the pay of journal clerks, etc., be referred to a committee of three appointed by the chair.

Carried.

The President appointed as such committee Senators Lewis, Jamison and Everall.

Senator Funk moved that the House message relative to the joint rules of the Twenty-fifth General Assembly be referred to the Committee on Rules.

Carried.

Representatives Blanchard, Sawyer and Robinson appeared and informed the Senate that the House was ready to receive the Senate in joint convention for the purpose of comparing journals on the election of United States Senator, as required by law.

Senator Lewis, from the special committee on salaries, offered the following substitute for the House concurrent resolution and moved its adoption:

SUBSTITUTE FOR HOUSE CONCURRENT RESOLUTION.

WHEREAS, There is no provision made in the Code for the compensation of journal clerks, Speaker's and President of the Senate's clerks, bill clerks, file clerks, and special messengers of the Speaker and President of the Senate; therefore, be it

Resolved by the House, the Senate concurring, That the compensation of journal clerks be \$5.00 per day; that of Speaker's clerk, the clerk of the President of the Senate, the bill clerks and file clerks, \$4.00 per day, and the special messengers of the Speaker and President of the Senate, \$2 50 per day.

L. W. LEWIS,

JAMES H. JAMISON,

JOHN EVERALL,

Committee.

Substitute adopted.

The President of the Senate announced that the time had arrived for the Senate to go into joint convention for the purpose of comparing journals on the election of United States Senator, and requested the Senators to accompany him into the Hall of the House of Representatives.

The Senate went to meet the House in joint convention.

JOINT ASSEMBLY.

The joint assembly was called to order by Lieutenant-Governor Warren S. Dungan, President of the Senate, at 12 m., according to law.

Representative Blanchard of Mahaska, moved that the journals of the two Houses be now compared in reference to the election of a United States Senator.

Carried.

A roll call was ordered, resulting as follows:

Those present were:

Messrs. Allen, Andrews, Baldwin, Barker, Bishop, Bitterman, Blanchard, Boardman, Britt, Brooks, Brower, Byers, Carpenter, Carter, Chantry, Chapman, Chassell, Cheshire, Conaway, Coonley, Cornwall, Craig, Crow, Davis, Davison, Diederich, Doane, Doubleday, Dowell, Downey, Eaton, Ellis, Endicott, Everall, Finn, Frazee, Funk of Hardin, Garst, Gorrell, Gurley, Harmon, Harriman, Haselton, Haugen, Hinman, Hipwell, Hoover, Horton, Hurst, Jamison, Jay, Jester, Jewett, Kilburn, Klemme, Lauder, Lehfeldt, Lewis, Linderman, McCann, McNeeley, McQuinn, Martin, Mattoon, Miller of Cherokee, Miller of Lee, Milliman, Mitchell, Moore, Morris of Clarke, Morrison, Murray, Nicoll, Nietert, Palmer, Patterson, Pattison, Penrose, Perrin, Reed, Rigger, Robinson, Root, Saberson, Sawyer, Schultz, Sessions, Smith, Snoke, Sowers, Spaulding, Spearman, Steen, Stillmunkes, St. John, Stone,

Stuntz, Turner, Upton, Vale, Van Gilder, Waterman, Watkins, Waters, Weaver, Wilken, Williams of Fremont, Williams of Howard, Wood, Wyckoff, Yeomans, Young of Delaware—112.

Those absent were:

Messrs. Bell, Brinton, Burnquist, Cooper of Montgomery, Cooper of Pottawattamie, Dent, Early, Ellison, Finch, Funk of Hardin, Green, Griswold, Groneweg, Harper, Harsh, Henderson, Homrighaus, Jones, Kelly, McGonigle, Morris of Sioux, Myerly, Oleson, Perry, Phelps, Ranck, Rea, Reynolds, Richardson, Rogge, Ross, Rowen, Shriver, Taylor, Terry, Trewin, Wilson, Young of Calhoun—38.

The Secretary of the Senate then proceeded to read that part of the journal of the Senate for Tuesday, January 16, 1894, that referred to vote for United States Senator.

The clerk of the House read that part of the House journal for Tuesday, January 16, 1894, that referred to vote for United States Senator.

From the reading of the journal, it appeared that upon Tuesday, January 16, 1884, the Senate and House balloted separately for United States Senator with the following result:

IN THE SENATE.

| | |
|----------------------------|----|
| John H. Gear received..... | 34 |
| Horace Boies received..... | 11 |
| Absent or not voting..... | 5 |

IN THE HOUSE.

| | |
|----------------------------|----|
| John H. Gear received..... | 77 |
| Horace Boies received..... | 17 |
| W. H. Butler received..... | 1 |
| Absent or not voting..... | 5 |

John H. Gear, of Des Moines county, was then declared elected by the Twenty-fifth General Assembly of the State of Iowa as United States Senator for the term beginning March 4, 1895.

The following certificate was then signed, and read in the presence of the Joint Assembly.

STATE OF IOWA,
HALL OF THE HOUSE OF REPRESENTATIVES, }
January 17, 1892.

This is to certify that at a meeting of the two houses of the General Assembly of the State of Iowa, in Joint Assembly, on Wednesday, the 17th day of January, 1894, at noon, a majority of all the members being present, it was found upon examination of the journals of both house, that upon the day before, the same being the second Tuesday after the meeting and temporary organization of the General Assembly, each house had by roll call of the members present named John H. Gear for Senator in Congress for the State of Iowa, for the term commencing the 4th day of March, 1895, and the same person to-wit: John H. Gear had received a majority of all the votes in each house. Whereupon said Joint Assembly formally

declared John H. Gear, of Des Moines county, duly elected senator to represent the State of Iowa in the Congress of the United States for the term of six years, beginning on the 4th day of March, 1895.

(Signed.)

WARREN S. DUNGAN,

E. R. HUTCHINS,

President of Senate and Joint Assembly.

Secretary of the Senate.

HENRY STONE,

I. K. WILSON,

Speaker of the House.

Clerk House of Representatives.

Martin of Adair, moved that a committee of three be appointed to notify John H. Gear of his election and to invite him to appear before this assembly.

The Chair appointed as such committee Representatives Martin, Blanchard and Senator Finn.

The committee conducted Hon. John H. Gear to the Speaker's desk and reported duty performed, after which Mr. Gear addressed the joint assembly.

The journal of the joint assembly was then read by the Secretary and approved.

On motion of Senator Chantry the joint convention was dissolved.
Senate reconvened.

Senator Perrin moved that the report of the Committee on Rules be taken up.

Carried.

Upon the concurrent resolution relative to the printing of Senate, House and Joint rules, Official Register, etc., Senator Bishop moved to amend by striking out the words "official register."

Amendment carried.

The resolution as amended was concurred in.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following concurrent resolution, in which the concurrence of the House was asked :

Relative to pay of employes not otherwise provided for.

I. K. WILSON,

Chief Clerk.

Senator Lewis moved that the Senate do now adjourn until 4 p. m., Tuesday, January 23, 1894.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, TUESDAY, January 23, 1894. }

Pursuant to adjournment Senate met in regular session at 4 o'clock P. M., and was called to order by President Dungan.

Prayer was offered by Rev. John Newman, D. D.

PETITIONS AND MEMORIALS.

Senator Brower presented a petition from merchants and business men of Mason City asking for the passage of an act to prevent and punish fraud in the sale of goods, wares and merchandise at public or private sale, by itinerant vendors, and regulate such sales.

Referred to Committee on Cities and Towns.

INTRODUCTION OF BILLS.

By Senator Boardman, Senate file No. 40, a bill for an act to provide and maintain necessary buildings for the Iowa Agricultural College, further equip and support said college and provide for the dissemination of information emanating from the college and experiment station connected therewith.

Read first and second times and referred to Committee on Ways and Means.

By Senator Boardman, Senate file No. 41, a bill for an act making appropriations to the Iowa State Agricultural College.

Read first and second times and referred to Committee on Appropriations.

By Senator Cheshire, Senate file No. 42, a bill for an act to amend sections 289 and 290 of the Code of 1873 as amended by chapter 16 of the Laws of the Twenty-fourth General Assembly of the State of Iowa, relating to the bonding of county indebtedness.

Read first and second times and referred to Committee on Judiciary.

By Senator Cheshire, by request, Senate file No. 43, a bill for an act to amend section 1, chapter 16, laws of the Twenty-second General Assembly, and granting additional powers to certain cities.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Conaway, Senate file No. 44, a bill for an act to license manufactures, wholesale and retail dealers of cigarettes, and to prohibit their sale to all minors under sixteen years of age, and to provide a penalty for the violation thereof.

Read first and second times and referred to Committee on Public Health.

By Senator Craig, Senate file No. 45, a bill for an act to amend section 1726 of the Code, allowing boards of directors to establish kindergarten schools.

Read first and second times and referred to Committee on Schools.

By Senator Harsh, Senate file No. 46, a bill for an act to revise and amend revenue and taxation laws of this State, amendatory of Code, Title 4, Chapter 9, relating to townships and township officers; Title 5, Chapter 5, relating to qualifications for office; Title 6, Chapters 1 and 2, relating respectively to the assessment and collection of taxes; Title 10, Chapter 5, pertaining to railroads, and Title 23, Chapter 2, pertaining to the compensation of county and township officers; and Chapter 60 of the acts of the Fifteenth General Assembly, relating to savings banks; Chapter 163, acts Sixteenth General Assembly, relating to taxation of mutual loan and building associations; Chapters 59 and 114, acts Seventeenth General Assembly, relating to taxation and assessments of telegraph lines, sleeping and dining cars; Chapter 57, acts Eighteenth General Assembly, relating to relief of manufacturers from double taxation; Chapter 74, acts Twentieth General Assembly, concerning election of assessors in cities existing under special charters; Chapter 39, acts Twenty-third General Assembly, relating to taxation of shares of stock of banking associations; to provide for collection of an inheritance tax in special cases; to provide for collection of franchise tax from corporations, and for taxation of foreign insurance companies in special cases.

Read first and second times and referred to Committee on Ways and Means.

By Senator Lewis, Senate file No. 47, a bill for an act providing for the non-payment of taxes on wide-tired wagons.

Read first and second times and referred to Committee on Highways.

By Senator Lewis, Senate file No. 48, a bill for an act to repeal section 963 of the code, in reference to costs of appeals in locating highways, and to enact a substitute in lieu thereof.

Read first and second times and referred to Committee on Highways.

By Senator Lewis, by request, Senate file No. 49, a bill for an act appropriating \$87.20 to defray the expenses of a delegate appointed by the Governor to attend the Beef and Pork Combine convention at St. Louis.

Read first and second times and referred to Committee on Claims.

By Senator Palmer, Senate file No. 50, a bill for an act making appropriations for the hospital for the insane at Mt. Pleasant, Iowa.

Read first and second times and referred to Committee on Appropriations.

By Senator Turner, Senate file No. 51, a bill for an act to amend Chapter fifty-two (52) of the laws of the Twenty-first General Assembly, and to prevent deception in the use of imitations of butter and cheese.

Read first and second times and referred to Committee on Agriculture.

By Senator Waterman, Senate file No. 52, a bill for an act to amend section 17, Chapter 94 of the Nineteenth General Assembly, relating to the dieting of prisoners.

Read first and second times and referred to Committee on Compensation of Public Officers.

Senator Rowen, from the special committee on devotions, submitted the following report:

SENATE CHAMBER,
January 23, 1894. }

MR. PRESIDENT—Your Committee on Devotions would respectfully submit the following report and ask to be discharged:

On consultation with the House Committee it was mutually agreed that a list furnished by the Ministerial Association of this city, composed of all the ministers of the city, be used in alphabetical order, except when ministers from other parts of the State are present, when they shall have the preference, the Sergeant-at-arms to notify the minister who is to officiate.

Respectfully submitted,

JOHN E. ROWEN,
L. A. ELLIS,
WM. GRONEWEG, } Committee.

Report adopted and committee discharged.

Leave of absence was granted to the following senators: Senators Ellis, Carpenter, Terry, Rigger, Funk and Dent.

The journal of the 17th inst. was read, corrected and approved.

Senator Kelly moved that the Senate now proceed to the election of a United States Senator.

Carried.

On roll call those voting for John H. Gear were:

Andrews, Boardman, Brower, Cheshire, Conaway, Craig, Eaton, Garst, Gorrell, Harsh, Henderson, Jamison, Jewett, Kilburn, Lehfeldt,

Lewis, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rowen, Turner, Upton, Vale, Waterman—27.

Those voting for Horace Boies were:

Baldwin, Bishop, Downey, Everall, Green, Groneweg, Harper, Hipwell, Hurst, Kelly, Mattoon, Oleson, Perry—13.

Absent or not voting:

Carpenter, Chantry, Dent, Ellis, Finn, Funk, Harmon, Rigger, Terry, Yeomans—10.

John H. Gear having received a majority of all the votes cast was declared duly elected on the part of the Senate for the office of United States Senator for the term of six years, beginning March 4, 1895.

Senator Turner moved that the Senate do now adjourn until 10 o'clock A. M. to-morrow.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, WEDNESDAY, January 24, 1894. }

Senate met in regular session at 10 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. W. M. Bartholomew.

PETITIONS AND MEMORIALS.

Senator Phelps presented a petition of merchants of the city of Atlantic, Iowa, to adopt an act entitled, "An act to prevent and punish fraud in the sale of goods, wares and merchandise at public and private sale, by itinerant vendors, and regulate such sales.

Referred to Committee on Cities and Towns.

Senator Harsh presented a petition from T. J. Potter Post No. 440 G. A. R., of Creston, Iowa, to exempt from taxation the homes of indigent and disabled soldiers to the amount of \$1,000.

Referred to Committee on Ways and Means.

Senator Upton presented a petition from the Cedar Falls Conference of the M. E. church, asking that the present prohibitory laws be retained.

Referred to Committee on the Suppression of Intemperance.

Senator Baldwin presented a petition from the Trades and Labor Congress at Dubuque, asking a change in the Australian ballot law.

Referred to Committee on Elections.

A petition addressed to the Lieutenant-Governor was read by the Secretary from J. L. Brown, asking re-imbursement for expenses during his impeachment trial.

Senator Kelly moved that further reading of petition be dispensed with.

Carried.

Petition referred to Committee on Claims.

INTRODUCTION OF BILLS.

By Senator Craig, Senate file No. 53, a bill for an act to repeal section 1111, of Code of 1873, in relation to counties granting appropriations to agricultural societies and enact a substitute therefor.

Read first and second times and referred to Committee on Agriculture.

By Senator Craig, Senate file No. 54, a bill for an act to amend section 1, chapter 162, of the acts of the Eighteenth General Assembly, in relation to conveyances by foreign executors and trustees.

Read first and second times and referred to Committee on Judiciary.

By Senator Everall, Senate file No. 55, a bill for an act repealing section 1802, Code of 1873, as amended by chapter 27, Fifteenth General Assembly, chapter 113, Seventeenth General Assembly; and chapter 143, Eighteenth General Assembly, and section 1808 as amended by section 2, chapter 7, Eighteenth General Assembly, relative to the election of a president in independent school districts and to enact a substitute therefor.

Read first and second times and referred to Committee on Schools.

By Senator Harsh, Senate file No. 56, a bill for an act to amend sections 289 and 290 of the Code of 1873, as amended by Chapter 16 of the laws of the Twenty-fourth General Assembly of the State of Iowa, relating to the bounding of county indebtedness.

Read first and second times and referred to Committee on Ways and Means.

By Senator Harsh, Senate file No. 57, a bill for an act to designate what shall constitute a road district, to abolish the office of supervisor of highways; to provide for payment of all road tax in money and the manner in which contracts for making and repair of roads and bridges shall be let by township trustees.

Read first and second times and referred to Committee on Ways and Means.

By Senator Jamison, Senate file No. 58, a bill for an act to repeal sections 4413 and 4414 of the Code, as amended by Chapter 39 of the Twenty-second General Assembly, relating to peremptory challenges of jurors in criminal cases and to enact a substitute therefor.

Read first and second times and referred to Committee on Judiciary.

By Senator Kilburn, Senate file No. 59, a bill for an act to provide for the furnishing of free text books for the pupils of public schools of the State of Iowa.

Read first and second times and referred to Committee on Schools.

By Senator Penrose, Senate file No. 60, a bill for an act to repeal sections 181, 183 and 3777 of the Code and to enact a substitute therefor.

Read first and second times and referred to Committee on Compensation of Public Officers.

By Senator Perry, Senate file No. 61, a bill for an act providing

the manner the county treasurer and county auditor shall keep the account and make settlements relating to the county revenue.

Read first and second times and referred to Committee on Judiciary.

By Senator Turner, Senate file No. 62, a bill for an act authorizing the board of supervisors of Marshall county, Iowa, to locate a highway over lands owned by the State.

Read first and second times and referred to Committee on Highways.

By Senator Cheshire, Senate file No. 63, a bill for an act to prevent and punish fraud in sales of goods, wares and merchandise at private sale by itinerant vendors, and to regulate such sales.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Cheshire, Senate file No. 64, a bill for an act to apply the provisions of Chapter 78 Laws of the Twenty-first General Assembly, as amended by Chapter 17 Laws of the Twenty-second General Assembly, and Chapter 15 Laws of the Twenty-fourth General Assembly relating to indebtedness of cities and towns.

Read first and second times and referred to Committee on Cities and Towns.

Senator Jamison introduced joint resolution No. 4, proposing a change in the constitution of the State of Iowa relative to suffrage.

Read first and second times and referred to Committee on Constitutional Amendments.

On motion of Senator Harsh 300 copies of Senate file No. 46 was ordered printed.

Yesterday's journal was read, corrected and approved.

Senator Kelly moved that the Senate take a recess for one hour.

Carried.

Recess.

Senate reconvened.

James Weeks appeared at the bar of the Senate and was sworn in as janitor.

Senator Lewis was excused on account of sickness.

Senator Brower offered the following concurrent resolution and moved its adoption:

Resolved by the Senate, the House concurring, That a joint convention be held in the hall of the House of Representatives on this day at 12 m., for the purpose of comparing the journals of the two Houses as to the election of United States Senator.

Resolution adopted.

Senator Harsh asked that the reference of Senate file No. 57 be

changed from Committee on Ways and Means to Committee on Roads and Highways.

So referred.

Senator Palmer offered the following resolution:

Resolved, That the Secretary of State is hereby instructed to rent typewriting machines for use in the Senate committee rooms at a cost not to exceed \$5 per month for each machine.

Referred to Committee on Retrenchment and Reform.

Senator Brower moved that 300 extra copies of Senate file No. 3 be printed.

Carried.

Senator Boardman offered the following preamble and resolution:

WHEREAS, Hon. T. S. McCall, late Senator from the Thirty-first Senatorial District, died at his home in Nevada, Iowa, August 11, 1892, and

WHEREAS, The character and public service of the deceased are worthy of public recognition, therefore,

Resolved, That it is with sincere regret that this body learns of the death of Senator McCall, and we desire to express our appreciation of his high and moral character, his integrity and honesty of purpose and his valuable service as an honored member of this body.

Resolved, That for ourselves and the Senate we express to his family our most sincere sympathy in the loss of a devoted husband and kind parent.

Resolved, That these resolutions be entered on the journal of the Senate and the Secretary of the Senate be instructed to send an engrossed copy to Mrs. Thos. S. McCall, widow of the late Senator.

H. C. BOARDMAN,

GEO. L. FINN,

T. B. PERRY,

Committee.

Senator Boardman moved that the resolution be made a special order for February 6th, at 2 o'clock P. M.

Senator Finn moved to amend by adding the words: "if it does not conflict with any other special order."

Amendment carried.

Original motion as amended carried.

Senator C aig offered the following preamble and resolution:

WHEREAS, On August 27, 1893, Hon. R. S. Smith, a member of the Twenty-fourth General Assembly, died at Iowa Falls, Iowa, while on his return home from the Democratic State Convention, and was buried at Cedar Falls, Iowa, August 29, 1893,

Resolved, That in the death of Senator Smith we mourn the loss of an able and conscientious member of the legislature, one devoted to the best interests of his constituents and the people of the State, whom he served with such signal ability on the floor of this Senate. We remember the kindly qualities of his generous heart, the noble attributes of his manhood, and shall ever cherish with fond and sincere recollection our departed friend and brother.

Resolved, That these resolutions be entered on the journal of this Senate.

Resolved, That the Secretary of the Senate be instructed to send an engrossed copy of these resolutions to the family of the late Senator Smith.

GEO. CRAIG,
JOHN EVERALL,
J. D. YEOMANS,
Committee.

Senator Craig moved that the resolution be made a special order for February 6, at 2:30 o'clock P. M.

Carried.

Senator Finn appeared at the bar of the Senate and took the oath of office as President *pro tempore* of the Senate.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following concurrent resolutions in which the concurrence of the House was asked.

1. Relative to Codes.
2. In relation to joint convention.

I. K. WILSON,
Secretary.

Representatives Martin, Miller of Cherokee, and Patterson appeared and informed the Senate that the House was now ready to receive the Senate in joint convention.

The President of the Senate announced that the time had arrived for the Senate to go into joint convention for the purpose of comparing journals on the election of United States Senator, and requested the Senators to accompany him into the Hall of the House of Representatives.

The Senate went into joint convention.

JOINT CONVENTION.

The joint convention was called to order by Lieutenant-Governor Warren S. Dungan, President of the Senate, at 12 M., according to law.

President Dungan announced that the joint convention had met to compare the journals of the two Houses in reference to the election of a United States Senator.

A roll call was ordered, resulting as follows:

Those present were:

Messrs. Allen, Andrews, Baldwin, Barker, Bell, Bishop, Bitterman, Blanchard, Boardman, Brinton Britt, Brooks, Brower, Burnquist, Byers, Carter, Chantry, Chassell, Cheshire, Conaway, Coonley, Cooper of Montgomery, Cooper of Pottawattamie, Craig, Crow, Davis,

Davison, Diederich, Doane, Doubleday, Dowell, Downey, Early, Eaton, Ellison, Endicott, Everall, Finch, Finn, Frazee, Funk of Hardin, Garst, Gorrell, Green, Griswold, Groneweg, Gurley, Harper, Harriman, Harsh, Haselton, Haugen, Henderson, Hinman, Hipwell, Homrighaus, Hoover, Horton, Jamison, Jay, Jester, Jewett, Jones, Kelley, Kilburn, Lehfelddt, Linderman, McCann, McGonigle, McQuinn, Martin, Mattoon, Miller of Cherokee, Miller of Lee, Milliman, Mitchell, Moore, Morris of Clarke, Morris of Sioux, Morrison, Murray, Myerly, Nicoll, Nietert, Oleson, Palmer, Patterson, Pattison, Penrose, Perrin, Perry, Phelps, Rea, Reed, Reynolds, Robinson, Rogge, Rowen, Saberson, Sawyer, Schultz, Shriver, Smith, Snoke, Sowers, Spaulding, Spearman, Steen, Stillmunkes, St. John, Stone, Stuntz, Taylor, Turner, Upton, Vale, Van Gilder, Waterman, Watkins, Watters, Weaver, Wilken, Williams of Fremont, Williams of Howard, Wood, Wyckoff, Yeomans, Young of Calhoun, Young of Delaware—129.

Those absent were:

Messrs. Carpenter, Chapman, Cornwall, Dent, Ellis, Funk of Dickinson, Harmon, Hurst, Klemme, Lauder, Lewis, McNeeley, Ranck, Richardson, Rigger, Root, Ross, Sessions, Terry, Trewin, Wilson—21.

The Secretary of the Senate then proceeded to read that part of the journal of the Senate for Tuesday, January 23, 1894, that referred to vote for United States Senator.

The clerk of the House read that part of the House journal for Tuesday, January 23, 1894, that referred to vote for United States Senator.

From the reading of the journal, it appeared that upon Tuesday, January 23, 1894, the Senate and House balloted separately for United States Senator with the following result:

IN THE SENATE.

| | |
|----------------------------------|----|
| Whole number of votes cast | 40 |
| John H. Gear received..... | 27 |
| Horace Boies received..... | 13 |
| Absent or not voting..... | 10 |

IN THE HOUSE.

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 74 |
| John H. Gear received | 61 |
| Horace Boies received.... | 12 |
| W. H. Butler received..... | 1 |
| Absent or not voting..... | 26 |

John H. Gear, of Des Moines county, was then declared elected by the Twenty-fifth General Assembly of the State of Iowa as United States Senator for the term beginning March 4, 1895.

The following certificate was then signed and read in the presence of the Joint Convention:

STATE OF IOWA,
HALL OF THE HOUSE OF REPRESENTATIVES, }
January 24, 1894.

This is to certify that at a meeting of the two houses of the General Assembly of the State of Iowa, in Joint Convention, held on Wednesday, the 24th day of January, 1894, at noon, a majority of all the members being present, it was found upon examination of the journals of the respective houses, that upon the day before, the same being the second Tuesday after the meeting and permanent organization of the General Assembly, each house had by roll call of the members present named John H. Gear, of Des Moines county, for Senator in Congress for the State of Iowa, for the term commencing the 4th day of March, 1895, and that the same person, to-wit: John H. Gear, had received a majority of all the votes cast in each house. Whereupon said Joint Convention formally declared John H. Gear, of Des Moines county, duly elected Senator to represent the State of Iowa in the Congress of the United States for the term of six years, beginning on the 4th day of March, 1895.

I. K. WILSON,

WARREN S. DUNGAN,
President of the Senate and Joint Convention.

*Clerk House of Representatives and of the
Joint Convention.*

HENRY STONE,
Speaker of the House.

E. R. HUTCHINS, *Secretary of the Senate.*

The journal of the joint convention was then read by the clerk of the joint convention and approved.

On motion of Representative Gurley the joint convention was dissolved.

Senator Yeomans moved that the Senate do now adjourn until 10 o'clock A. M. to-morrow.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, THURSDAY, January 25, 1894. }

Senate met in regular session at 10 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. E. P. Bartlett.

By request of Senator Funk leave of absence was granted Senator Lewis on account of sickness.

By request of Senator Hipwell leave of absence was granted Senator Hurst on account of sickness.

By request of Senator Conaway Sergeant-at-Arms S. W. Smith was granted leave of absence on account of sickness.

PETITIONS AND MEMORIALS.

Secretary of the Senate read two petitions which had been received by mail, against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

INTRODUCTION OF BILLS.

By Senator Andrews, Senate file No. 65, a bill for an act to repeal sections 181, 183 and 3777, of the Code, and to enact a substitute therefor.

Read first and second times and referred to Committee on Judiciary.

By Senator Funk, Senate file No. 66, a bill for an act to amend sections 3 and 4, of chapter 11, of the acts of the Twenty-second General Assembly, in relation to allowing cities and incorporated towns to vote bonds for water works.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Cheshire, Senate file No. 67, a bill for an act to amend section 2308, of the Code of 1873, and to provide for the adoption of children.

Read first and second times and referred to Committee on Charitable Institutions.

By Senator Funk, Senate file No. 68, a bill for an act repealing section 3511 of the Code of 1873, and re-enacting the same so as to make the same plain and intelligible.

Read first and second times and referred to Committee on Judiciary.

By Senator Garst, Senate file No. 69, a bill for an act to amend section 4012, of the Code.

Read first and second times and referred to Committee on Judiciary.

By Senator Garst, Senate file No. 70, a bill for an act to legalize the acts of the council of the incorporated town of Coon Rapids, Carroll county.

Read first and second times and referred to Committee on Judiciary.

By Senator Jamison, Senate file No. 71, a bill for an act to repeal section 18 of chapter 33, of the laws of the Twenty-fourth General Assembly, relative to posting sample ballots five days prior to election, and enacting a substitute therefor.

Read first and second times and referred to Committee on Elections.

By Senator Rea, Senate file No. 72, a bill for an act to provide for the protection and safety of employes of railways operated by electricity, and to require such railways to vestibule and enclose the platforms of their cars and to provide a penalty for the violation thereof.

Read first and second times and referred to Committee on Labor.

By Senator Rea, Senate file No. 73, a bill for an act to repeal part of the acts of the Eighteenth General Assembly of the State of Iowa, being section 3784 of the Code, as amended by said acts to repeal section two (2), chapter thirty-six (36), of the acts of the Twenty-second General Assembly of the State of Iowa, and to enact a substitute for said acts so repealed, to amend section 3781 of the Code of Iowa to repeal section sixteen (16) of chapter 134 of the acts of the Twenty-first General Assembly of the State of Iowa, relative to the compensation of clerks of the district court.

Read first and second times and referred to Committee on Compensation of Public Officers.

By Senator Turner, Senate file No. 74, a bill for an act to amend chapter 105, acts of the Twenty-second General Assembly, allowing compensation for the soldiers' relief commission.

Read first and second times and referred to Committee on Military.

By Senator Waterman, Senate file No. 75, a bill for an act to establish a standard form of bond to be used by the counties, cities and school districts of the State of Iowa, and making them a safe and convenient investment for the savings of the people, and repealing all laws in conflict therewith.

Read first and second times and referred to Committee on Cities and Towns.

Senator Perrin introduced the following joint resolution:

JOINT RESOLUTION NO. 5.

Be it resolved by the General Assembly of the State of Iowa, That the following amendment to the constitution of the State of Iowa be and the same is hereby proposed and referred to the legislature of Iowa to be elected at the next general election for members of the General Assembly thereof: That is to say, add to article one (1) of the constitution the following as section twenty-six (26):

SECTION 26. The manufacture, sale and keeping for sale of all intoxicating liquors whatever is prohibited except for medicinal, chemical and sacramental purposes.

The General Assembly shall, by appropriate legislation, provide for the enforcement of this section.

Read first and second times and referred to Committee on Constitutional amendments.

Senator Funk offered the following resolution and moved its adoption:

Resolved, That the Secretary of State is hereby instructed to furnish to each Senator one copy each of the acts of the Twenty-second, Twenty-third and Twenty-fourth General Assemblies.

Resolution adopted.

HOUSE MESSAGES.

The concurrent resolution relative to codes and joint resolution was taken up and ordered passed on file.

Senator Conaway from the committee appointed to visit the Hospital for the Insane at Mt. Pleasant submitted report.

Senator Andrews moved that the reading of the report be dispensed with.

Carried.

Report ordered printed and referred to Committee on Appropriations.

Senator Harper from the Committee appointed to visit the Industrial Home for the Blind at Knoxville submitted report.

Report ordered printed and referred to Committee on Appropriations.

Yesterday's journal read, corrected and approved.

President announced that Senator Conaway is added to the Committee on Mines and Mining.

Senator Kelly, at his request, was excused from service on the Committee on Mines and Mining.

The following persons appeared at the bar of the Senate and were sworn in as committee clerks:

W. H. Fleming—Ways and Means.
W. L. Hall—Constitutional Amendments and Suffrage.
Mrs. K. R. Davis—Educational Institutions.
Frank D. Merriman—Judiciary.
W. W. Littell—Appropriations.
M. H. Richards—Suppression of Intemperance.
W. H. Palmer—Railways.
S. C. McFarland—Insurance.
Ned Anderson—Congressional and Judicial Districts.
Ed. E. Davis—Charitable Institutions.
W. White—Cities and Towns.
Frank W. Bicknell—Senatorial and Representative Districts.
Jno. E. Brooks—Compensation of Public officers.
A. E. Miller—Elections.
Wm. Hill—Claims.
S. A. Van Saun—Corporations.
Jno. Stevenson—Public Buildings.
Alice Newman—Manufactures.
Jennie M. Andrews—Military.
Mrs. Eva S. Upton—Printing.
Eugene Stickney—Commerce.
E. W. Holbrook—Retrenchment and Reform.
S. C. Farmer—Penitentiaries and Pardons.
David Brant—Horticulture and Forestry.
Lily Fox—Public Library.
W. C. Bryant—Enrolled Bills.

Senator Yeomans moved that the Senate do now adjourn until 10 o'clock A. M. to-morrow.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, Friday, January 26, 1894. }

Senate met in regular session at 10 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. M. E. Barakat.

PETITIONS AND MEMORIALS.

Senator Cheshire presented a petition from merchants of Burlington asking for the passage of an act to prevent and punish fraud in the sale of goods, wares and merchandise at public or private sale by itinerant vendors, and regulate such sales.

Referred to Committee on Cities and Towns.

Senator Cheshire presented a petition from merchants of Creston asking for the passage of an act to prevent and punish fraud in the sale of goods, wares and merchandise at public or private sale by itinerant vendors, and regulate such sales.

Referred to Committee on Cities and Towns.

Senator Cheshire presented a petition from merchants of Cedar Rapids asking for the passage of an act to prevent and punish fraud in the sale of goods, wares and merchandise at public or private sale by itinerant vendors and regulate such sales.

Referred to Committee on Cities and Towns.

Senator Cheshire presented a petition from merchants of Clarinda asking for the passage of an act to prevent and punish fraud in the sale of goods, wares and merchandise at public or private sale by itinerant vendors, and regulate such sales.

Referred to Committee on Cities and Towns.

Senator Cheshire presented a petition from merchants of Muscatine asking for the passage of an act to prevent and punish fraud in the sale of goods, wares and merchandise at public or private sale by itinerant vendors, and regulate such sales.

Referred to Committee on Cities and Towns.

Senator Cheshire presented a petition from merchants of Keokuk asking for the passage of an act to prevent and punish fraud in the sale of goods, wares and merchandise at public or private sale by itinerant vendors, and regulate such sales.

Referred to Committee on Cities and Towns.

INTRODUCTION OF BILLS.

By Senator Boardman, Senate file No. 76, a bill for an act to prevent deception in the sale or other disposition of milk, and to preserve the public health, and to prescribe the duties of the dairy commissioner in relation thereto.

Read first and second times and referred to Committee on Agriculture.

By Senator Boardman, Senate file No. 77, a bill for an act to provide for the drainage of highways, to authorize the purchase or condemnation of the right of way over private property for the extension of highway drains and for the payment of the cost of extending such drains, and for the assessment of taxes for the payment therefor.

Read first and second times and referred to Committee on Highways.

By Senator Cheshire, Senate file No. 78, a bill for an act to provide free public employment offices.

Read first and second times and referred to Committee on Labor.

By Senator Cheshire, by request, Senate file No. 79, a bill for an act to amend section 9 of chapter 100 of the acts of the Sixteenth General Assembly, relating to mechanics' liens.

Read first and second times and referred to Committee on Labor.

By Senator Craig, Senate file No. 80, a bill for an act to amend section 3723 of the Code of 1873, in relation to taking depositions.

Read first and second times and referred to Committee on Judiciary.

By Senator Craig, by request, Senate file No. 81, a bill for an act to establish the Eastern Iowa school for the deaf, and to provide for the building and government of the same.

Read first and second times and referred to Committee on Educational Institutions.

By Senator Dent, Senate file No. 82, a bill for an act to bring relief to Richard J. Walmesley.

Read first and second times and referred to Committee on Judiciary.

By Senator Finn, Senate file No. 83, a bill for an act to define and punish the crime of desertion.

Read first and second times and referred to Committee on Judiciary.

By Senator Funk, Senate file No. 84, a bill for an act to amend chapter 40 Acts of the Nineteenth General Assembly relative to the care of idiotic persons.

Read first and second times and referred to committee on Charitable Institutions.

By Senator Funk, Senate file No. 85, a bill for an act to restrain hunters from trespassing upon cultivated or enclosed lands without permission, and providing penalties therefor.

Read first and second times and referred to Committee on Agriculture.

By Senator Harmon, Senate file No. 86, a bill for an act making an appropriation for the Iowa Hospital for the Insane, at Independence

Read first and second times and referred to Committee on Appropriations.

By Senator Harmon, Senate file No. 87, a bill for an act to authorize the building of another cottage on the grounds of the Iowa Hospital for the Insane at Independence.

Read first and second times and referred to Committee on Appropriations.

By Senator Harmon, Senate file No. 88, a bill for an act to amend section 2120 of the Code of Iowa.

Read first and second times and referred to Committee on Judiciary.

By Senator Jamison, Senate file No. 89, a bill for an act creating a commission to revise and codify the laws of Iowa and defining its duties, and providing for the publication and distribution of its report.

Read first and second times and referred to Committee on Judiciary.

By Senator Lewis, Senate file No. 90, a bill for an act declaring express companies or corporations common carriers, and providing for their government and control, and empowering the Board of Railroad Commissioners of the State of Iowa to regulate and fix charges made by said companies or corporations.

Read first and second times and referred to Committee on Corporations.

By Senator Lewis, Senate file No. 91, a bill for an act providing for a general levy for State purposes.

Read first and second times and referred to Committee on Ways and Means.

By Senator Phelps, Senate file No. 92, a bill for an act to amend section 3173 of the Code of 1873, relative to the limitation on the right to appeal civil causes to the supreme court.

Read first and second times and referred to Committee on Judiciary.

By Senator Rea, Senate file No. 93, a bill for an act to provide for the dehorning of all male and vicious female cattle.

Read first and second times and referred to Committee on Public Health.

By Senator Turner, Senate file No. 94, a bill for an act authorizing the commissioners of the Iowa Soldiers' Home to grant right of way for an electric street car line over State grounds.

Read first and second times and referred to Committee on Public Buildings.

By Senator Waterman, Senate file No. 95, a bill for an act enlarging and increasing the powers, duties and privileges of city councils in the cities of the State of Iowa.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Waterman, Senate file No. 96, a bill for act to provide for the granting of permits for the sale of spirituous, malt, fermente and vinous liquors in cities of over 4,000 inhabitants, where a majority of the voters in such cities shall so decide.

Read first and second times and referred to Committee on Suppression of Intemperance.

By Senator Chantry, Senate file No. 97, a bill for an act to amend section two (2). Chapter one hundred and sixty-one (161), Acts of the Twenty-first General Assembly of Iowa.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Chantry, Senate file No. 98, a bill for the relief of James T. Ward.

Read first and second times and referred to Committee on Claims.

By Senator Harsh, Senate file No. 99, a bill for an act to more effectively control and restrain saloons and persons engaged in the sale of intoxicating liquors as a beverage in cities of two thousand or over inhabitants.

Read first and second times and referred to Committee on Suppression of Intemperance.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following joint resolution in which the concurrence of the Senate is asked.

Relative to requesting our Senators and Representatives to protest against the passage of the Wilson tariff bill.

I. K. WILSON,
Chief Clerk.

Senator Finn moved that the rules be suspended and the House joint resolution be taken up for immediate consideration.

Carried.

Senator Perry offered the following substitute for the House joint resolution.

SUBSTITUTE FOR HOUSE JOINT RESOLUTION.

Memorial and joint resolution addressed to our Senators and Representatives in Congress, urging their support of the Wilson bill:

WHEREAS, The purpose of a protective tariff is to prevent our people from

purchasing cheap clothing and other low priced foreign manufactured goods, and to give our domestic manufacturers a corner on the market whereby they can raise the prices on their goods and compel our farmers, laboring classes and the masses of the people to pay what they ask; and

WHEREAS, Protection is the increased price our manufacturers place upon and receive for their goods by the help the tariff duty on foreign goods affords them. It is what the tariff permits them to force the people to pay for a thing more than they would have to pay if there was free competition. It is simply legalized robbery, which free men should not tolerate; and

WHEREAS, The fruits of protection are paid into the hands of the manufacturing monopolists of the east, and the laborer employed receives no part of its benefits, except as generosity may move his employer to give to him, though history fails to record an instance of the kind; and,

WHEREAS, Protection was condemned by the Republican party when first called upon to act after its organization; it was denounced by its greatest leaders in the past, such as ex-Senator James W. Grimes, the father of the party in this State; its senior senator, Wm. B. Allison, has many times condemned it on the floor of the senate; ex-Governor John H. Gear, the newly-elected Republican member of the senate from this State, was equally severe in his opposition to the principle of tariff robbery; the eloquent and able Kasson was no less a bitter foe to protection, and was always ready to so declare himself; and

WHEREAS, On more than one occasion has the Republican party of Iowa, in its State platform, declared against protection and in favor of a tariff for revenue only; and

WHEREAS, The McKinley bill, enacted in 1890, more than one hundred years since the organization of the government, is the highest tariff law ever passed by Congress; and

WHEREAS, The Wilson bill proposes a reduction of twenty per cent of the rate of duties fixed by the McKinley bill, which leaves them still higher than the war tariff of 1861-62; therefore, be it

Resolved by the General Assembly of the State of Iowa, That our Senators be instructed and our Representatives in Congress requested to vote for and use their utmost efforts to secure the passage of the Wilson bill, and thus lessen the burdens of our people and relieve them from being taxed for the support of the manufacturing monopolies of the east.

Senator Gorrell offered the following amendment to the House joint resolution.

AMENDMENT.

By inserting after the words, " Wilson tariff bill " the following:

" And to oppose any legislation authorizing an increase in the interest-bearing indebtedness of the United States while the government is the owner of one hundred and fifty million ounces of uncoined and unused silver.

Senator Kelly raised the point of order that the amendment offered by Senator Gorrell was out of order.

The chair decided the point well taken..

Senator Gorrell's amendment was ruled out of order.

On the question, "Shall the substitute for the joint resolution pass"? the yeas were:

Senators Baldwin, Bishop, Dent, Downey, Everall, Green, Groneweg, Harper, Hipwell, Hurst, Kelly, Oleson, Perry, Terry—14.

The nays were:

Senators Andrews, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Eaton, Ellis, Finn, Funk, Gorrell, Harmon, Harsh, Henderson, Jamison, Jewett, Kilburn, Lehfelddt, Lewis, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Rowen, Turner, Upton, Vale, Waterman—33.

Absent or not voting:

Senators Garst, Mattoon, Yeomans—3.

So the substitute was lost.

Senator Finn moved that the rules be suspended and the joint resolution read a third time now.

Carried.

On the question, "Shall joint resolution pass?" the yeas were:

Senators Andrews, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Eaton, Ellis, Finn, Funk, Gorrell, Harmon, Harsh, Henderson, Jamison, Jewett, Kilburn, Lehfelddt, Lewis, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Rowen, Turner, Upton, Vale, Waterman—33.

The nays were:

Senators Baldwin, Bishop, Dent, Downey, Everall, Green, Groneweg, Harper, Hipwell, Hurst, Kelly, Oleson, Perry, Terry—14.

Absent or not voting:

Senators Garst, Mattoon, Yeomans—3.

So the joint resolution was passed.

On request of Senator Dent leave of absence was granted to Senator Yeomans until Monday.

On request of Senator Conaway, leave of absence was granted to Senator Gorrell until Monday.

On request of the Secretary of the Senate leave of absence was granted to journal clerk, Thomas E. Cox, on account of sickness.

The following persons appeared at the bar of the Senate and were sworn in as committee clerks:

Mrs. J. C. Conaway—Health.

Miss Regina Vale—Agriculture.

D. A. Cooper—Schools.

Mrs. W. H. Palmer—Railways.

Miss Lulu Chapman—Labor.

Miss Olive Reynolds—Mines and Mining.

R. P. Star—Rules.

Elmer E. Eaton—Federal Relations.

Miss Hattie Neyemesch—Public Lands.

S. C. Farmer—Penitentiaries and Pardons.

J. W. Lindsay—Highways.

Senator Bishop moved that 300 extra copies of Senate file No. 21 be printed.

Carried.

Yesterday's journal read, corrected and approved.

Senator Perrin asked that joint resolution No. 5 be printed in full in the journal.

It was so ordered.

Senator Lewis introduced the following joint resolution:

JOINT RESOLUTION NO. 6.

Providing for a commission for the promotion of uniform legislation in the United States.

Be it resolved by the General Assembly of the State of Iowa, That within thirty days after the passage of this resolution, the Governor shall appoint three commissioners, who are hereby "constituted a board of commissioners, by the name and style of the Commission for the Promotion and Uniformity of Legislation in the United States." It shall be the duty of said commissioners to examine the subjects of marriage and divorce, insolvency, the forms of notarial certificates, descent and distribution of property, acknowledgment of deeds, execution and probate of wills, and other subjects on which uniformity is desirable; to ascertain the best means to effect uniformity in the laws of the State of Iowa in convention of like commission heretofore appointed or to be appointed by other states; and to devise and recommend such other course of action as shall best accomplish the purpose of this resolution. Said commissioners shall report to the Governor at least thirty days before the convening of the next General Assembly, and the Governor shall submit to the General Assembly such report. Said commissioners when appointed shall serve without expense to the State, and without salary.

Read first and second times and referred to the Committee on Judiciary.

President announced that Senator Kelly would remain on the Committee on Mines and Mining.

REPORTS OF STANDING COMMITTEES.

Senator Waterman, from the Committee on Cities and towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 12, a bill for an act authorizing cities of the first class to purchase or condemn any lands within the limits of such city, for the purpose of embankments, where streets cross ravines, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by inserting after the word "property" in the eleventh line thereof, the words "under the act," and after the word "be" in the same line, the words "in the manner," and by striking out the words beginning with the word "law" in the eleventh line thereof and ending with the word "in" in the twelfth line.

Also, that the bill be further amended by adding the following clause: "This act being deemed of importance shall take effect and be in force from and after its publication in the *Iowa State Register* and in the *Des Moines Leader*, newspapers published in Des Moines, Iowa," and that when so amended, the bill do pass.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Senator Waterman from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns to whom was referred Senate file No. 18, a bill for an act to amend chapter forty-eight (48), of the acts of the Twenty-second General Assembly, relating to elections held within cities and the registration of voters therein, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: To amend section one of said bill by striking out the number "11" in the second line and in lieu thereof to insert the number "2"; by omitting the words "preceding" and "annual" in the fourth line, and by carrying forward the quotation mark after the word "election" in the same line, so as to include the word "national" in the seventh line, by omitting the word "or" in the sixth line, and after the word "special" in the same line inserting the words "and municipal"; and by adding after the word "national" in the seventh line of said section one a semi colon and the words, "also that there be stricken out of section three of said acts the words beginning with the word "for" in the first line and ending with the word "and" in the third line thereof. To amend section two of this bill by omitting the first line thereof, being the third word in said line, and inserting in lieu thereof the word "and" and when so amended the bill do pass.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Senator Waterman from the Committee on Cities and Towns submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 32, a bill for an act to legalize the ordinances passed by the incorporated town of Templeton, Carroll county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the word "incorporate" in the preamble of said bill be changed to "incorporated," and that the word "incorporated" be inserted after the word "said" in the first line of section one, and when so amended the bill do pass.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Senator Andrews moved that the Senate do now adjourn until 10 o'clock A. M. to-morrow.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, SATURDAY, January 27, 1894. }

Senate met in regular session at 10 o'clock A. M. and was called to order by President Dungan.

Prayer was offered by Rev. I. P. Teter of Ottumwa.

INTRODUCTION OF BILLS.

By Senator Andrews, Senate file No. 100, a bill for an act appropriating money to pay Captain Washington Galland for services as captain in organizing militia and volunteers for the protection of the State, and for services in the army of the United States during the rebellion and to reimburse him for moneys expended in supporting and maintaining said militia and volunteers when so organized.

Read first and second times and referred to Committee on Claims.

By Senator Carpenter, Senate file No. 101, a bill for an act amending paragraph 12 of chapter 134, of the acts of the Twenty-first General Assembly, relating to the salaries of Judges of the District Court

Read first and second times and referred to Committee on Judiciary.

By Senator Ellis, Senate file No. 102, a bill for an act to provide for local option in the sale and manufacture and sale of spirituous, malt, fermented and vinous liquors in counties and cities, and the granting of permits therefor, and providing penalties for its violation.

Read first and second times and referred to Committee on Suppression of Intemperance.

By Senator Finn, Senate file No. 103, a bill for an act providing a substitute for chapter 6 of title 9 of the Code of 1873, and for establishing and governing mutual savings, loan and building associations.

Read first and second times and referred to Committee on Banks.

By Senator Palmer, Senate file No. 104, a bill for an act requiring the United States flag to be placed upon all school houses or school grounds of the State of Iowa.

Read first and second times and referred to Committee on Military.

By Senator Reynolds, Senate file No. 105, a bill for an act to provide for the payment of wages of workmen employed in mines in the

State of Iowa, in lawful money of the United States, and to protect said workmen in the management and control of their own earnings.

Read first and second times and referred to Committee on Mines and Mining.

By Senator Rowen, Senate file No. 106, a bill for an act to protect the maker of notes in certain cases.

Read first and second times and referred to Committee on Banks and Banking.

By Senator Vale, Senate file No. 107, a bill for act to amend sections 1 and 2, of chapter 40, acts of the Twenty-fourth General Assembly relative to trimming Osage orange hedge fences.

Read first and second times and referred to Committee on Agriculture.

By Senator Ellis, Senate file No. 108, a bill for an act to provide for the manufacture and sale in the original package, of spirituous, malt, fermented and vinous liquors for lawful purposes.

Read first and second times and referred to Committee on Suppression of Intemperance.

By Senator Lewis, Senate file No. 109, a bill for an act relating to the publication of quarterly statements of banks.

Read first and second times and referred to Committee on Banks.

REPORTS OF COMMITTEES.

Senator Terry, from the Committee on Horticulture and Forestry, submitted the following report:

MR. PRESIDENT—Your Committee on Horticulture and Forestry, to whom was referred Senate file No. 14, a bill for an act to repeal chapter 62, of the acts of the Twenty-fourth General Assembly, and to provide for the publication and distribution of the report of the Iowa Academy of Science, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be and is hereby amended, by inserting in line one (1) of the original bill after the words "shall be published," the words "and bound in boards in the same form as the acts of the General Assembly are bound," and that the same do then pass.

J. M. TERRY,
Chairman.

Ordered passed on file.

Senator Terry from the Committee on Horticulture and Forestry, submitted the following report:

MR. PRESIDENT—Your Committee on Horticulture and Forestry, to whom was referred Senate file No. 15, a bill for an act to amend section 1119 of the Code of Iowa of 1873, with respect to the publication of the annual report of the Iowa State Horticultural Society, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. M. TERRY,
Chairman.

Ordered passed on file.

Senator Palmer, from the Committee on Constitutional Amendments, submitted the following report:

MR. PRESIDENT—Your Committee on Constitutional Amendments and Suffrage, to whom was referred joint resolution No. 2, proposing an amendment to section 9, article I. of the constitution of the State of Iowa, and to provide for its reference and publication, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be adopted.

D. J. PALMER,
Chairman.

Ordered passed on file.

Senator Palmer moved that Senate file No. 14 be taken up for consideration.

Carried.

Senator Palmer moved that the amendments to Senate file No. 14 recommended by the committee be adopted.

Carried.

Senator Palmer moved that the rules be suspended and the bill be considered engrossed and read a third time now.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Terry, Turner, Upton, Vale, Waterman—45.

The nays were:

None.

Absent or not voting:

Senators Gorrell, Mattoon, Oleson, Rowen. Yeomans—5.

So the bill passed and the title was agreed to.

Senator Palmer moved that the rules be suspended and Senate file No. 15, be considered engrossed and read a third time now.

Carried.

Senator Lewis called for the reading of the report of the committee.

Report read.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Terry, Turner, Upton, Vale, Waterman—44.

The nays were:

None.

Absent or not voting:

Senators Brower, Gorrell, Mattoon, Oleson, Rowen, Yeomans—6.

So the bill passed.

Senator Perry moved to amend the title by striking out the words, "of Iowa" in the first line of the title, to read "Code of 1873."

Carried.

The title as amended was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following joint resolution, in which the concurrence of the Senate is asked:

Relative to service pensions.

I. K. WILSON,
Secretary.

The following persons appeared at the bar of the Senate and were sworn in as committee clerks:

A. H. Holland—Pharmacy.

T. S. Kitchen—Engrossed Bills.

Charles S. Longley—Fish and Game.

Senator Waterman moved that Senate file No. 18 be taken up for immediate consideration.

Carried.

Senator Waterman moved that the amendments recommended by the committee be considered in their order.

Carried.

Amendments Nos. 1, 2, and 3 were adopted.

Senator Finn moved that the bill be re-referred to the committee, and that the committee be ordered to have the bill printed as amended.

Senator Funk introduced the following resolution and moved its adoption:

Resolved, That the Secretary of the Senate be instructed to prepare for the use of the Senate and have printed 100 copies of a daily calendar containing all bills reported by committees, bills on third reading, special orders and joint resolutions.

Resolution adopted.

Senator Harper moved that Senate file No. 12 be taken up for consideration.

Reading of report of committee called for.

Report read.

Senator Harper moved that the amendments as reported by the committee be adopted.

Carried.

Senator Harper asked for another reading of the report of the committee.

Report read.

Senator Harper moved that the rules be suspended and the bill be considered engrossed and read a third time now.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Craig, Dent, Downey, Eaton, Ellis, Everall, Funk, Garst, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hurst, Jamison, Jewett, Kelly, Lehfeltdt, Lewis, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Terry, Turner, Upton, Vale, Waterman—40.

The nays were:

None.

Absent or not voting:

Senators Brower, Conaway, Finn, Gorrell, Hipwell, Kilburn, Mattoon, Oleson, Rowen, Yeomans—10.

So the bill passed and the title was agreed to.

Senator Andrews asked unanimous consent to withdraw Senate files 60 and 65 from Committee on Judiciary and refer same to Committee on Compensation of Public Officers.

Consent granted.

Senator Garst moved that the amendments to Senate file No. 32, as reported by the Committee on Cities and Towns, be adopted.

Carried.

Senator Garst moved that the rules be suspended and Senate file No. 32 be considered engrossed and read a third time now.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Finn, Funk, Garst, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Lehfeltdt, Lewis, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman—44.

The nays were:

None.

Absent or not voting:

Senators Everall, Gorrell, Kilburn, Mattoon, Oleson, Yeomans—6.

So the bill passed and the title was agreed to.

Senator Palmer asked that the report of the committee to whom was referred Senate file No. 16 be read.

Report read.

Senator Palmer moved that the recommendation of the committee be adopted.

Carried.

Senator Waterman submitted report of the committee appointed to visit the penitentiary at Ft. Madison.

Report ordered printed and passed on file.

Senator Kelly moved that House message be taken up for reference.

Carried.

Senator Kelly moved that the message be referred to the Committee on Military.

Carried.

Senator Perry moved that the Senate do now adjourn until Monday, January 29, at 2 o'clock P. M.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Monday, January 29, 1894. }

Pursuant to adjournment, Senate met in regular session at 2 o'clock p. m., and was called to order by President Dungan.

Prayer was offered by Rev. Dr. A. Crum, of Webster City.

PETITIONS AND MEMORIALS.

Senator Bishop introduced a petition from forty citizens of O'Brien county, asking for an appropriation of \$25,000 for the State Agricultural Society.

Referred to Committee on Agriculture.

Senator Andrews introduced a petition from citizens of Dallas county, asking for an appropriation of \$25,000 for the State Agricultural Society.

Referred to Committee on Agriculture.

Senator Groneweg presented a petition from fruit growers of Pottawattamie county asking an amendment of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Boardman offered a petition from citizens of Boone asking for an appropriation of \$25,000 for the State Agricultural Society.

Referred to Committee on Agriculture.

Senator Penrose offered a petition from citizens of Benton on same subject.

Referred to Committee on Appropriations.

Senator Cheshire offered a petition from merchants of the city of Des Moines asking for the adoption of an act entitled, "An act to prevent and punish fraud in the sale of goods, wares and merchandise at public and private sale, by itinerant vendors, and regulate such sales."

Referred to Committee on Cities and Towns.

Senator Dent presented a petition from merchants of the city of Cherokee on same subject.

Referred to Committee on Cities and Towns.

Senator Henderson presented a petition from citizens from Buena county, asking for an appropriation of \$25,000 for the State Agricultural Society.

Referred to Committee on Appropriations.

INTRODUCTION OF BILLS.

By Senator Chantry, Senate file No. 110, a bill for an act to make appropriation for Institution for Feeble Minded Children at Glenwood, Iowa.

Read first and second times and referred to Committee on Appropriations.

By Senator Downey, Senate file No. 111, a bill for an act requiring owners of osage orange hedge partition fences to keep the same trimmed and to regulate the height thereof.

Read first and second times and referred to Committee on Agriculture.

By Senator Downey, Senate file No. 112, a bill for an act to prohibit the board of commissioners of the Iowa Soldiers' Home from enforcing a rule compelling the members to surrender their pensions to the officers of the home.

Read first and second times and referred to Committee on Military.

By Senator Eaton, Senate file No. 113, a bill for an act to legalize the ordinances and resolutions passed by the incorporated town of Imogene, Fremont county, Iowa.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Finn, Senate file No. 114, a bill for an act to amend chapter 6 of the Code of Iowa in reference to the sale of intoxicating liquors.

Read first and second times and referred to Committee on Suppression of Intemperance.

By Senator Funk, Senate file No. 115, a bill for an act to provide for the proper interment of the remains of pioneers on Okoboji and Spirit Lakes massacred in 1857, and for the erection of a commemorative monument.

Read first and second times and referred to Committee on Appropriations.

By Senator Garst, Senate file No. 116, a bill for an act to revise and amend our present road laws.

Read first and second times and referred to Committee on Highways.

By Senator Garst, by request, Senate file No. 117, a bill for an act to legalize the levy of taxes for 1893, in Carroll county, Iowa.

Read first and second times and referred to Committee on Judiciary.

By Senator Harper, Senate file No. 118, a bill for an act amending section 4440 of the Code of Iowa, in reference to instructions to juries.

Read first and second times and referred to Committee on Judiciary.

By Senator Harper, Senate file No. 119, a bill for an act requiring the use of fire escapes in certain buildings.

Read first and second times and referred to Committee on Public Buildings.

By Senator Hipwell, Senate file No. 120, a bill for an act making appropriations for the Iowa Soldiers' Orphans' Home at Davenport, Iowa.

Read first and second times and referred to Committee on Appropriations.

By Senator Kilburn, Senate file No. 121, a bill for an act to repeal Chapter 28, acts of the Twenty-fourth General Assembly relative to farmers' institutes, and enact a substitute therefor.

Read first and second times and referred to Committee on Agriculture.

By Senator Lewis, Senate file No. 122, a bill for an act providing for the better security of State banks.

Read first and second times and referred to Committee on Banks.

By Senator Rea, Senate file No. 123, a bill for act making an appropriation for the State Normal School at Cedar Falls, Iowa, and providing for a new building and for additional endowment and contingent funds for said school.

Read first and second times and referred to Committee on Appropriations.

By Senator Turner, Senate file No. 124, a bill for act to regulate the cancellation of mortgages.

Read first and second times and referred to Committee on Judiciary.

By Senator Yeomans, Senate file No. 125, a bill for an act to provide for the issuance of bonds for the purpose of funding county indebtedness.

Read first and second times and referred to Committee on Judiciary.

By Senator Andrews, Senate file, No. 126, a bill for an act to amend section 894, Code of 1873, Laws of Iowa.

Read first and second times and referred to Committee on Judiciary.

By Senator Groneweg, Senate file No. 127, a bill for an act to protect persons and property from danger at grade crossings of one railroad over another, or over swing, or draw bridges and at junction points, by providing for safety devices thereat.

Read first and second times and referred to Committee on Railways.

Senator Boardman introduced the following joint resolution:

JOINT RESOLUTION NO. 7.

Joint resolution and memorial of Congress relative to a bill to limit the effect of the regulations of commerce between the several States and with foreign countries in certain cases.

WHEREAS, There is being sold in this State large quantities of imitation butter, cheese, impure fats and oils, manufactured and colored so as to resemble the butter and cheese products of Iowa dairies; and

WHEREAS, It is desirable that our people be protected against the sale of such imitations; and,

WHEREAS, Under the present inter-state commerce law it is permissible to sell said products in this State when in the original packages in which they were put up outside of the State; therefore,

Resolved, That our Senators and Representatives in congress are earnestly requested to urge and vote for the passage of Senate file No. 1376, entitled, "*A bill to limit the effect of the regulations of commerce between the several States and with foreign countries in certain cases, to-wit:*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled:

That all articles known as oleomargarine, butterine, imitation butter, or imitation cheese, or any substance in the semblance of butter or cheese, not the usual product of the dairy, and not made exclusively of pure and unadulterated milk or cream, transported into any State or Territory, or remaining therein for use, consumption, sale, or storage therein, shall, upon arrival in such State or Territory, be subject to operation and effect of the laws of such State or Territory enacted in the exercise of its police powers, to the same extent and in the same manner as though such articles or substances had been produced in such State or Territory and shall not be exempt therefrom by reason of being introduced therein in original packages or otherwise.

Read first and second times and referred to Committee on Agriculture.

Senator Conaway moved that 300 extra copies of Senate file No. 36 be printed.

Carried.

REPORTS OF COMMITTEES.

Senator Kilburn, from the Committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT — Your Committee on Compensation of Public Officers, to whom was referred Senate file No. 4, a bill for an act providing salaries for justices of the peace and constables in lieu of fees in criminal cases in townships having a population of over four thousand, and repealing section 592 of the Code of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the attached bill be substituted therefor, that the said substitute bill be printed, and that it do pass.

L. M. KILBURN,
Chairman.

Ordered passed on file.

Senator Boardman, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate file No. 29, a bill for an act to amend sections 969, 975, 981, 987 and 996 of the Code, relative to the meeting of township trustees for settlement with road supervisors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. C. BOARDMAN,
Chairman.

Ordered passed on file.

Senator Harsh from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 56, a bill for an act to amend sections 289 and 290 of the Code of 1873, as amended by chapter 16 of the laws of the Twenty-fourth General Assembly of the State of Iowa, relating to the bonding of county indebtedness, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

J. B. HARSH,
Chairman.

Ordered passed on file.

Senator Kilburn, from the Committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate file No. 52, a bill for an act to amend section 17, chapter 94, of the Nineteenth General Assembly, relating to dieting of prisoners, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. M. KILBURN,
Chairman.

Ordered passed on file.

Senator Vale, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture to whom was referred Senate file No. 38, a bill for an act to amend Chapter 70 of the Code of the Twentieth General Assembly, also Chapter 42 of the Twenty-second General Assembly, relating to damage done by dogs, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Strike out all after the word "amend" and prior to the word "relating" in the title of the bill and insert in lieu thereof the words, "section 5 of chapter 70, laws of the Twentieth General Assembly, as amended by chapter 42, laws of the Twenty-second General Assembly."

Also by inserting in section 1, prior to the words "provided, however" the following, viz:

That section 5, of chapter 70, laws of the Twentieth General Assembly, as

amended by chapter 42, laws of the Twenty-second General Assembly, be amended by adding thereto the following words:

Also by inserting the article "a" before the word "dog" in the next to the last line of the original bill.

And when so amended that the bill do pass.

B. R. VALE,
Chairman.

Ordered passed on file.

Senator Everall from the special committee appointed to visit the Industrial School for Boys at Eldora submitted report.

A portion of the report was read and referred to Committee on Charitable Institutions.

The report was ordered printed.

THIRD READING OF BILLS.

Senator Groneweg moved that the third resolution of joint resolution No. 2 be postponed until to-morrow.

Senator Harsh asked that the report from the committee to whom was referred Senate file No. 56 be read.

Report read.

Senator Harsh moved that the rules be suspended and the bill considered engrossed and read a third time now.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Everall, Finn, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Riggen, Rowen, Terry, Turner, Upton, Vale, Waterman, Yeomans—45.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Ellis, Mattoon, Oleson, Reynolds—5.

So the bill passed and the title was agreed to.

On request of Senator Palmer, leave of absence was granted to Senator Carpenter.

On request of Senator Kelly, leave of absence was granted to Senator Oleson.

Senator Gorrell, from the special committee appointed to visit the College for the Blind at Vinton, submitted report.

Ordered printed and passed on file.

Senator Kilburn, from the special committee appointed to visit the Iowa State Agricultural College at Ames, submitted report.

Ordered printed and passed on file.

Senator Bishop asked that 300 extra copies of Senate file No. 28 be ordered printed.

It was so ordered.

Journal of January 27 was read, corrected and approved.

Senator Jamison moved that the Senate do now adjourn until 10 o'clock A. M. to-morrow.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, January 30, 1894. }

Senate met in regular session at 10 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. J. Boyd, of Des Moines.

PETITIONS AND MEMORIALS.

Senator Henderson introduced a petition from citizens of Buena Vista county, asking for an appropriation of \$25,000 for the State Agricultural Society.

Referred to Committee on Appropriations.

Senator Yeomans offered a petition from merchants of the city of Sioux City asking for the adoption of an act entitled, "An act to prevent and punish fraud in the sale of goods, wares and merchandise at public and private sale, by itinerant vendors, and regulate such sales."

Referred to Committee on Cities and Towns.

INTRODUCTION OF BILLS.

By Senator Andrews, Senate file No. 128, a bill for an act to provide a room for the Grand Army of the Republic, Department of Iowa, in the capitol building, and for an appropriation therefor.

Read first and second times and referred to Committee on Military.

By Senator Boardman, Senate file No. 129, a bill for an act to amend chapter 44 of the Acts of the Twenty-fourth General Assembly, in relation to warehouse receipts, making the same apply to butter, eggs, cheese, and dressed poultry.

Read first and second times and referred to Committee on Judiciary.

By Senator Jamison, Senate file No. 130, a bill for an act supplemental to the prohibitory law, providing additional penalties relative to the better enforcement of the law.

Read first and second times and referred to Committee on Suppression of Intemperance.

By Senator Kilburn, Senate file No. 131, a bill for an act to make valid chapter 21 of the revised ordinances of 1885 of the city of Winterset.

Read first and second times and referred to Committee on Judiciary.

By Senator Kilburn, by request, Senate file No. 132, a bill for an act to regulate the compensation of councilmen in cities of the second class.

Read first and second times and referred to Committee on Compensation of Public Officers.

By Senator Palmer, Senate file No. 133, a bill for an act to authorize the appointment of a commission to ascertain and mark the position occupied by Iowa troops on Lookout Mountain and Missionary Ridge (the battle of Chattanooga).

Read first and second times and referred to Committee on Military.

By Senator Rowen, Senate file No. 134, a bill for an act to prevent the publication, selling or distribution of newspapers or pamphlets containing description of rounds fought at prize fights.

Read first and second times and referred to Committee on Judiciary.

By Senator Yeomans, Senate file No. 135, a bill for an act making an appropriation for the Iowa State Agricultural Society, for the encouragement of agriculture, horticulture, manufactures and other industries of the State of Iowa.

Read first and second times and referred to Committee on Agriculture.

By Senator Rowen, Senate file No. 136, a bill for an act to make more effective the prohibitory law of the State of Iowa by making additional penalties where liquors are sold unlawfully in towns of 2,000 inhabitants and upwards.

Read first and second times and referred to Committee on Suppression of Intemperance.

By Senator Carpenter, Senate File No. 137, a bill for an act amending sections 1446, 1447, 1448, 1452, 1456, and repealing sections 1450, 1451 and 1464 of chapter 3, of Title II of the Code of Iowa, relating to domestic animals.

Read first and second times and referred to Committee on Agriculture.

By Committee on Claims, Senate file No. 138, a bill for an act to reimburse John L. Brown, as Auditor of State during the years 1885 and 1886, for money expended in defense of his said office, and of his official rights and duties.

Read first and second times and passed on file.

REPORTS OF COMMITTEES.

Senator Gorrell, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred the petition of John L. Brown for reimbursement for money expended in defense of his

office and official rights as Auditor of State during the years 1885 and 1886, has duly considered the same and beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill hereto attached, do pass.

J. R. GORRELL,
Chairman.

Ordered passed on file.

Also:

MINORITY REPORT.

From the same Committee:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 138, a bill for an act to reimburse Mr. John L. Brown, late State Auditor, for money claimed to have been expended in defense of his office and official rights as Auditor of State during the years 1885 and 1886, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that Senators Yeomans and Dent decline to favor said bill and would respectfully refer for such reason to the acts of the Twenty-third General Assembly and that the said bill be recommended back to the Senate with the recommendation that the same be indefinitely postponed.

J. R. GORRELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 49, a bill for an act to appropriate \$87.20 to defray the expenses of a delegate appointed by the Governor to attend the Beef and Pork combine convention at St. Louis, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. R. GORRELL,
Chairman.

Ordered passed on file.

Senator Vale, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 51, a bill for an act to amend chapter fifty-two (52) of the Laws of the Twenty-first General Assembly, and to prevent deception in the use of imitations of butter and cheese, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows: Strike out the word "amend" and insert the word "repeal" in lieu thereof, and strike out all after the word "and," and insert the words, "Enact the following in lieu thereof," in the title of the bill. Also strike out all after the word "be" in the second line of section 1. and insert the following: "And the same is hereby repealed and the following enacted in lieu thereof." Also change the word "said" to "such"

near the end of the third line and insert the words, "or lunch counter" *after* the word "table" near the end of the fourth line.

And when so amended that the bill do pass.

B. R. VALE,
Chairman.

Ordered passed on file.

Senator Finn asked that two hundred extra copies of Senate file No. 24 be printed.

It was so ordered.

BILLS ON THIRD READING.

Joint Resolution No. 2 was read a third time.

Senator Waterman moved that the resolution lay over until tomorrow.

Carried.

Senator Waterman moved that Senate file No. 52 be taken up and the rules be suspended and the bill read a third time now.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Everall, Funk, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Reynolds, Rigger Terry, Turner, Upton, Vale, Waterman, Yeomans—39.

The nays were:

Senators Boardman, Eaton, Garst, Hipwell, Hurst, Mattoon—6.

Absent or not voting:

Senators Andrews, Ellis, Finn, Rea, Rowen—5.

So the bill passed and the title was agreed to.

Senator Everall moved that Senate file No. 29 be taken up for consideration.

Carried.

Senator Everall moved that the rules be suspended and the bill considered engrossed and read a third time now.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Everall, Finn, Garst, Gorrell, Greene, Groneweg, Harmon, Harper, Harsh, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Turner, Upton, Vale, Waterman, Yeomans—44.

The nays were :

Senators Henderson, Terry—2.

Absent or not voting:

Senators Brower, Ellis, Funk, Rowen—4.

So the bill passed and the title was agreed to.

Senator Reynolds from the special committee to whom was referred the special message of His Excellency, Governor Boies, concerning the suspension of E. C. McMillan, warden of the penitentiary at Ft. Madison, submitted the following report:

To the Honorable Senate and House of Representatives:

Your committee to whom was referred the special message of his excellency, Governor Boies, concerning the suspension of E. C. McMillen, Warden of the Penitentiary at Ft. Madison, beg leave to report that they have said message under consideration, as also the papers on file in the executive office relating thereto, consisting of the report and supplementary report of the special commission signed by Joseph C. Mitchell, Albert W. Swalm, and James McCann, the opinion of Hon. John Y. Stone, Attorney-General, the statement of E. C. McMillen. Also affidavits purporting to account for the amount reported as misappropriated by said special commission, which were filed in the executive office and not officially passed upon by the retiring Governor.

Your committee find from a careful reading of said special message and the joint resolution creating this committee that we are limited to a consideration of the misappropriation of the guard fund, as all other matters are passed upon by the Governor, and are excluded by his recommendations. We also find that we have no power to call before us the persons or papers, and no power to administer oath; and we especially report that to go into an investigation outside of the papers before us would take your committee away from the session of the Assembly possibly for weeks, which would be an injustice to them and should not be required. We also find that ample power is lodged with the executive office to investigate and determine the matters pertaining thereto.

From the papers before us we find that said special commission found a misappropriation of the guard fund at said prison of \$1,867.00, as at first ascertained, but that upon being recommissioned they allowed an offset upon testimony, vouchers and affidavits of about \$867.00, leaving a balance misappropriated of about \$1,000.00, as shown by a supplemental report of said commission, the exact sum not being given. To account for this sum the said McMillen has filed in the executive office affidavits of parties to whom he claimed to have paid money aggregating \$1,064.00, which affidavits state specifically for what purpose, to whom paid, and for material, and service required in the conduct of the prison, all of which was paid by said warden during the time covered by the investigation, and for material delivered during said period.

Not being authorized to go back to the returns your committee make no comment as to credibility of affiants or sufficiency of proof further than to say that it seems to be of the same character as that upon which the said offset of \$1,867 was allowed by said commission.

Your committee finds itself handicapped in this matter by the fact that said commission allowed said offset, and by the concluding clauses of the special message in which his excellency, Gov. Boies, emphatically expresses his confidence in the said Warden McMillen and his management of said prison, as follows:

“ With the single exception of an unauthorized use of some portion of the

guard fund that came into his hands, and that he, the governor, has been to led greatly doubt as to whether or not the extent of the warden's wrong is not found in the single fact that he has used funds of the State appropriated for one purpose, and authorized by law to be used for that purpose, to other necessary purposes in the conduct of said prison," etc.

Your committee also quote in full the reference of clause of said special message as further reason for the conclusion hereinafter given:

"I have therefore felt that the whole matter should be submitted to you with a recommendation that by proper legislative action you provide for such further hearing of the matter aforesaid as in your judgment is required, and that on such hearing the warden be allowed, as an officer, the money secured by him from the State as a guard fund all sums by him expended for legitimate purposes in the conduct of the affairs of said prison for which he has not heretofore, in some form or other, been credited in his account with the State."

From the foregoing facts and recitals, which are only a material part of the papers and evidence before your committee, we conclude:

First. That there was a misappropriation of the guard fund by Warden McMillen.

Second. That the Governor was wholly justified in suspending said warden.

Third. That from the exparte showing of said E. C. McMillen as herein mentioned and referred to, it is apparent that if the commission did right in allowing the offset as heretofore recited, your committee from the affidavits herein referred to must admit that said warden expended the balance of the fund so misappropriated for the use and benefit of the State and not to his own use or individual benefit.

Fourth. That if said McMillen has suffered from the action of the Governor in suspending him he must attribute it all to his own wrong doing.

We, your committee, recommend that this whole matter with a copy of this report be referred back to the executive office for further action from which source alone action or remedy may come.

Your committee further advise that some system should be adopted whereby frequent examination of the State Institutions shall be made by commissions composed of men of ability and firmness to the end that officers and boards of trustees shall faithfully comply with the laws and employ correct business methods in the conduct of their offices and strict system of book keeping therein.

(Signed,)

E. M. REYNOLDS,

L. B. MATTOON,

Committee on the part of Senate.

PARLEY FINCH,

J. C. MILLIMAN,

A. L. STUNTZ,

Committee on the part of House.

Senator Perry moved that the report be adopted.

Carried.

Senator Turner moved that Senate file No. 38 be taken up for consideration.

Carried.

Senator Turner moved that the amendments as recommended by the committee to whom was referred Senate file No. 38 be adopted.

Carried.

Senator Turner moved that the rules be suspended and that Senate file No. 38 as amended be considered engrossed and read a third time now.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Brower, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Everall, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harsh, Hurst, Jamison, Jewett, Lehfelddt, Lewis, Oleson, Palmer, Penrose, Perry, Rea, Reynolds, Rowen, Terry, Turner, Upton, Vale, Waterman, Yeomans—36.

The nays were:

Senators Andrews, Carpenter, Eaton, Harper, Kelly, Kilburn, Perrin, Phelps—8.

Absent or not voting:

Senators Ellis, Finn, Henderson, Hipwell, Mattoon, Riggen—6.

So the bill passed and the title was agreed to.

Senator Finn offered the following resolution:

Resolved, That in view of the report filed by the special committee to investigate the management of the penitentiary at Ft. Madison, it is the judgment of the Senate that E. C. McMillan should be reinstated as warden of such penitentiary.

Senator Finn moved that the resolution lay over until to-morrow.
Carried.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution in which the concurrence of the Senate is asked: Relative to the publication of the governor's report of pardons, commutations, suspensions of sentence and remission of fines.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

House file No. 20, a bill for an act to exempt registered pharmacists from jury duty.

House file No. 21, a bill for an act to legalize the ordinances of the town council of the town of Moulton, Appanoose county, Iowa.

I. K. WILSON,
Chief Clerk.

Yesterday's journal was read, corrected and approved.

Senator Reynolds called for the report of the House message concerning the passage of an act to legalize the ordinances of the town of Moulton, Appanoose county, Iowa.

Message read.

Senator Reynolds read the following communication in reference to House file No. 21:

MOULTON, APPANOOSE COUNTY, IOWA, January 4, 1894.

To the Representatives of Iowa in session in Des Moines, Iowa, Greeting:

I hereby certify that I am now acting as town attorney for the town of Moulton, Iowa, and that there is not any case now pending in any court of record or any other court, in which the town of Moulton is either plaintiff or defendant at this date.

H. P. POWERS,
Town Attorney.

I hereby certify that H. P. Powers has been duly appointed attorney for the town of Moulton, county of Appanoose, Iowa.

Dated at Moulton, Iowa, on this — day of January, 1894.

H. H. HESS,
Mayor of Moulton, Iowa.

Senator Reynolds moved that the bill be read a third time now.
Carried.

Senator Reynolds moved to amend the bill by inserting the word "all" after the word "in" and before the word "respects" in the twenty-fourth line; and that the bill as amended pass.

On the question, "Shall the bill pass as amended?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Chantry, Cheshire, Conaway, Dent, Downey, Eaton, Everall, Funk, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hurst, Jamison, Jewett, Kelly, Lehfeltdt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Reynolds, Rigger, Terry, Turner, Upton, Vale, Yeomans—39.

The nays were:

None.

Absent or not voting:

Senators Brower, Carpenter, Craig, Ellis, Finn, Garst, Hipwell, Kilburn, Rea, Rowen, Waterman—11.

So the bill passed as amended, and the title was agreed to.

Senator Brower moved that the State Printer be instructed by the Secretary of the Senate to comply with the request of the Senate to print 300 extra copies of Senate file No. 3.

Carried.

Senator Kelly moved that the Senate do now adjourn until 10 o'clock A. M. to-morrow.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, January 31, 1894. }

Senate met in regular session at 10 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. B. F. W. Cozier, of Colfax.

PETITIONS AND MEMORIALS.

Senator Andrews presented a petition from citizens of Dallas county asking for an appropriation of \$25,000 for the State Agricultural Society.

Referred to Committee on Agriculture.

Senator Oleson presented a petition on the same subject from citizens of Calhoun county.

Same reference.

Senator Harmon presented a petition on the same subject from fifty citizens of Delaware county.

Same reference.

Also:

A petition on the same subject from fifty residents of Buchanan county.

Same reference.

Senator Garst presented a petition on the same subject from citizens of Greene county.

Same reference.

Senator Jamison presented a petition on the same subject from forty-two residents of Warren county.

Same reference.

Senator Perrin presented a petition on the same subject from citizens of Floyd county.

Same reference.

Senator Upton presented a petition on the same subject from citizens of Winneshiek county.

Same reference.

Senator Coraway presented a petition from Des Moines educators

asking for some legislation preventing the sale or gift of cigarettes to boys.

Referred to the Committee on Public Health.

The Secretary read a petition of the Board of Trustees of the State Library asking that the regular annual appropriation for the purchase of books for the State Library be increased to \$6,000, and that the sum of \$3,000 in addition to the present annual appropriation be made available for the use of the library for the current year.

Referred to Committee on Public Libraries.

The President of the Senate presented a memorial from the Boys' and Girls' National Home and Employment Association, of Lincoln, Neb., asking for the passage of an act similar to the one attached to the memorial.

Referred to the Committee on Charitable Institutions.

On request of Senator Hurst, Senator Hipwell was granted leave of absence.

INTRODUCTION OF BILLS.

By Senator Boardman, Senate file No. 139, a bill for an act to amend chapter 193 of the acts of the Twentieth General Assembly of the State of Iowa, and make further provision in reference to the investment of the endowment fund of the Iowa State Agricultural College and Farm.

Read first and second times and referred to Committee on Public Lands.

By Senator Cheshire, Senate file No. 140, a bill for an act to amend section 1, chapter 18, of the acts of the Twenty-second General Assembly.

Read first and second times and referred to Committee on Public Libraries.

By Senator Dent, Senate file No. 141, a bill for an act to amend section twenty-six hundred and forty-eight of the code of this State.

Read first and second times and referred to Committee on Judiciary.

By Senator Gorrell, Senate file No. 142, a bill for an act to regulate and equalize the assessment laws and compel the owner of notes, mortgages, and other securities to pay their just proportion of taxes whether they reside in Iowa or elsewhere.

Read first and second times and referred to Committee on Ways and Means.

By Senator Harmon, Senate file No. 143, a bill for an act creating in certain cities of the first-class a board of library trustees, defining the powers and prescribing the duties of such board.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Jewett, Senate file No. 144, a bill for an act to repeal section 798, of title 6, chapter 1, of the Code, relating to exemptions for planting and cultivating forest and fruit trees.

Read first and second times and referred to Committee on Agriculture.

By Senator Oleson, Senate file No. 145, a bill for an act to establish a uniform code of signals governing mines.

Read first and second times and referred to Committee on Mines and Mining.

By Senator Rowen, Senate file No. 146, a bill for an act for the better protection of persons manufacturing, bottling or selling soda waters, mineral or aerated waters, cider, milk, cream or other lawful beverages, owning and using boxes, bottles, caskets, kegs or barrels.

Read first and second times and referred to Committee on Manufactures.

By Senator Rowen, Senate file No. 147, a bill for an act to amend chapter 1, title 9, of the Code of Iowa, and to more particularly define the manner of creating corporations for pecuniary profit, and to fix the liability of the stockholders and to fix the compensation to be paid the State for such franchises.

Read first and second times and referred to Committee on Judiciary.

Senator Phelps presented the following joint resolution:

JOINT RESOLUTION NO. 8.

Resolved, by the General Assembly of the State of Iowa, That the Auditor of State issue warrants, for the mileage of members who visited the several State Institutions on committees appointed to investigate the same. The several amounts to be reported to him by the Secretary of the Senate and Clerk of the House.

Read first and second times, and Senator Finn moved that the rules be suspended and the joint resolution considered engrossed and read a third time now.

Carried.

On the question, "Shall the joint resolution pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Chantry, Conaway, Craig, Dent, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Gorrell, Groneweg, Harmon, Harper, Harsh, Henderson, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfeldt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigen, Rowen, Terry, Turner, Upton, Vale, Waterman Yeomans—46.

The nays were:

None.

Absent or not voting:

Senators Brower, Cheshire, Green, Hipwell—4.

So the joint resolution passed.

Senator Reynolds offered the following concurrent resolution:

CONCURRENT RESOLUTION RELATIVE TO SPREADING FILTH ON CAPITOL GROUNDS.

Resolved, by the Senate, the House concurring, That the custodian of the capitol building be and is hereby directed to stop the depositing of filth which being spread on the grounds surrounding the building, and if fertilizing is deemed necessary for the protection of the grass, that an inodorous fertilizing substance be used.

Senator Kelly moved that, by consent of Senator Reynolds, the resolution lay over until to-morrow.

Carried.

Senator Downey introduced the following resolution:

WHEREAS, Governor Boies' message for 1894 shows that the State institutions of the State of Iowa are asking for one and one-half millions of dollars for their maintenance and improvement for this year, and,

WHEREAS, The trustees of said institutions, elected by the Legislature, are here urging the appropriation of the amounts recommended by said institutions and, whereas, said trustees seem to represent the institution itself instead of the State of Iowa; and,

WHEREAS, The Governor in his message has recommended that a non-partisan board of commissioners be appointed to have charge of the business affairs of all the State institutions and whose duty it will be to look after the interests of the State and the reasonable wants of the institutions of the State; therefore be it

Resolved, That the President of the Senate be requested to appoint a special committee of three members to draft a bill in accordance with the suggestions of the Governor, made in his message, and which will have in view the carrying out of the recommendations therein contained.

Senator Finn objected to the present consideration of the resolution, and it was laid over for one day, under the rule.

HOUSE MESSAGES TAKEN UP.

House concurrent resolution relative to the publication of the Governor's report of pardons, commutations, suspension of sentence and remission of fines, was taken up.

CONCURRENT RESOLUTION.

Resolved by the House, the Senate concurring, That the Secretary of State be requested to have published two thousand copies of the Governor's report of pardons, commutations, suspensions of sentence and remission of fines.

Resolution concurred in.

Senator Palmer moved that House file No. 20 be taken up and read a third time now.

Carried.

Senator Kelly moved to amend by inserting the word, "bankers" after the word "pharmacists" in the third line.

Lost.

Senator Rigger moved that further consideration of the bill be dispensed with, and that the bill be referred to the Committee on Pharmacy.

Lost.

House file No. 20 was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Boardman, Carpenter, Conaway, Craig, Finn, Garst, Gorrell, Harmon, Henderson, Hurst, Jewett, Mattoon, Oleson, Palmer, Perrin, Phelps, Rea, Reynolds, Rigger, Rowen, Vale, Waterman—23.

The nays were:

Senators Baldwin, Bishop, Brower, Chantry, Cheshire, Dent, Downey, Eaton, Ellis, Everall, Funk, Green, Groneweg, Harper, Harsh, Jamison, Kelly, Kilburn, Lehfeltdt, Lewis, Penrose, Perry, Terry, Turner, Upton, Yeomans—26.

Absent or not voting:

Senator Hipwell—1.

So the bill having failed to receive a constitutional majority was declared lost.

REPORTS OF STANDING COMMITTEES.

Senator Boardman, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate file No. 13, a bill for an act to amend section 963 of the Code of Iowa, relating to costs in cases of appeal in the establishment of highways, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. C. BOARDMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate file No. 37, a bill for an act to amend section 963 of the Code of 1873, relative to costs in appeals in highway cases, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do not pass, because Senate bill No. 13, recommended by this committee to pass, is the same.

H. C. BOARDMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate file No. 48, a bill for an act to repeal section 963 of the Code, in reference to costs of appeals in locating highways and to enact a substitute in lieu thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do not pass because Senate bill No. 13, recommended by this committee to pass, is the same.

H. C. BOARDMAN,
Chairman.

Ordered passed on file.

Senator Harmon, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 101, a bill for an act amending paragraph 12 of chapter 134 of the acts of the Twenty-first General Assembly, relating to the salaries of judges of the district court, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be referred to the Committee on Compensation of Public Officers.

M. W. HARMON,
Chairman.

So referred.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 131, a bill for an act to make valid chapter 21 of the revised ordinances of 1885 of the city of Winterset, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 42, a bill for an act to amend sections 289 and 290 of the Code of 1873, as amended by chapter 16 of the Laws of the Twenty-fourth General Assembly of the State of Iowa, relating to the bonding of county indebtedness, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 10, a bill for an act to amend section 4440 of the Code of Iowa, in reference

to instructions to juries, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 1, a bill for an act to legalize the levy and the taxes levied by the board of supervisors of Pottawattamie county, Iowa, for the years 1888, 1889, 1890, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

M. W. HARMON,
Chairman.

Ordered passed on file.

Senator Riggen from the special committee appointed to visit the Hospital for the Insane at Independence, submitted his report.

Ordered printed and passed on file.

Senator Eaton from the special committee appointed to visit the Institution for Feeble Minded at Glenwood, submitted his report.

Ordered printed and passed on file.

Senator Finn asked unanimous consent that his resolution relative to the re-appointment of E. C. McMillan as warden of the penitentiary at Ft. Madison, be laid over until to-morrow.

Consent granted.

Senator Lewis moved that Senate file No. 49 be taken up for consideration.

Carried.

Senator Finn asked for the reading of the bill.

Bill read.

Senator Perry moved that the last section be so amended as to read "without expense to the State."

Carried.

Senator Lewis moved to amend by striking out all of the publication clause.

Carried.

Senator Lewis moved that the rules be suspended, the bill be considered engrossed and read a third time now.

Carried.

On the question, "Shall the bill pass as amended?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Everall, Finn, Funk, Gorrell, Green, Harmon, Harper, Harsh, Henderson, Hurst,

Jamison, Jewett, Kelly, Lehfelddt, Lewis, Oleson, Palmer, Penrose, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman, Yeomans—43.

The nays were:

Senator Groneweg--1.

Absent or not voting:

Senators Chantry, Garst, Hipwell, Kilburn, Mattoon, Perrin—6.

So the bill, as amended, passed, and the title was agreed to.

Senator Chantry asked leave to file a motion to reconsider the vote by which House file No. 20 failed to pass the Senate.

Leave granted.

Motion passed on file.

Senator Kelly moved that the motion be laid upon the table.

Motion ruled out of order.

Senator Turner moved that Senate file No. 51 be taken up for consideration.

Carried.

Senator Andrews moved that further consideration of bills on calendar go over until to-morrow.

Carried.

Yesterday's journal was read, corrected and approved.

Senator Jamison moved that the Senate do now adjourn until 10 o'clock A. M. to-morrow.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, THURSDAY, February 1, 1894. }

Senate met in regular session at 10 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. H. O. Breeden, L.L.D., Des Moines.

PETITIONS AND MEMORIALS.

Senator Jewett introduced a petition from citizens of Winnebago county, asking for an appropriation of \$25,000 for the State Agricultural Society.

Referred to Committee on Agriculture.

Senator Carpenter presented petition from citizens of Muscatine county on same subject.

Same reference.

Senator Vale presented petition from citizens of Jefferson county on same subject.

Same reference.

Senator Garst presented petition from citizens of Carroll county on same subject.

Same reference.

Senator Lehfeldt presented petition from citizens of Harrison county on same subject.

Same reference.

Also from citizens of Crawford county on the same subject.

Same reference.

INTRODUCTION OF BILLS.

By Senator Baldwin, Senate file No. 148, a bill for an act authorizing railway corporations to mortgage their property for certain purposes.

Read first and second times and referred to Committee on Railroads.

By Senator Conaway, by request, Senate file No. 149, a bill for an act to provide for miners' oil inspection and maintain a purity thereof.

Read first and second times and referred to Committee on Mines and Mining.

By Senator Kelly, Senate file No. 150, a bill for an act for an appropriation for the better support of the State University in the several departments and chairs, and in aid of the income fund and for the development of the institution.

Read first and second times and referred to Committee on Appropriations.

By Senator Kelly, Senate file No. 151, a bill for an act for the permanent support and maintenance of the State University.

Read first and second times and referred to Committee on Educational Institutions.

By Senator Oleson, Senate file No. 152, a bill for an act to tax mineral estates when the surface and such mineral estates are owned by different parties.

Read first and second times and referred to Committee on Ways and Means.

By Senator Perry, Senate file No. 153, a bill for an act to provide for the establishment of a board of supervisors and control of State institutions and officers.

Read first and second times and referred to Committee on Charitable Institutions.

By Senator Dent, Senate file No. 154, a bill for an act concerning the inspection of intoxicating liquors.

Read first and second times and referred to Committee on Suppression of Intemperance.

By Senator Dent, Senate file No. 155, a bill for an act to further provide for the care of insane persons.

Read first and second times and referred to Committee on Charitable Institutions.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House file No. 17, a bill for an act to prevent and punish prize fighting.

I. K. WILSON,
Chief Clerk.

HOUSE MESSAGES TAKEN UP.

House file No. 17 was read first and second times.

Senator Everall moved that House file No. 17 be taken up for consideration.

Lost.

Division called for.

Lost.

Senator Lewis moved that the bill be referred to Committee on Judiciary.

Carried.

REPORT OF STANDING COMMITTEES.

Senator Harmon, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 33, a bill for an act to legalize the proceedings of the town council of the incorporated town of Lake City, Iowa, in establishing a system of water works, the issuing of bonds in payment thereof, and to legalize the ordinances and resolutions passed and adopted by the town council, and to legalize the elections held to vote upon the question of establishing a system of water works in said town of Lake City, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 26, a bill for an act to prevent the assignment of certain claims and demands for the purpose of evading the exemption laws of this State, to prevent violations, and providing that non-residents when sued by attachment may in some cases be entitled to the benefits of the law exempting their earnings, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the title be amended by striking out all after the word "State" therein; that section 1 be amended to read as follows:

SECTION 1. No person shall, for the purpose of evading the exemption laws of this State, or of depriving any person of his rights thereunder, or from claiming the benefits of his rights thereunder, or from claiming the benefit of the law exempting his earnings for personal services from execution, sell, assign or transfer any contract, claim or demand, or any interest therein, with intent to send the same into another State for collection by suit, attachment or garnishment. All such transactions are hereby declared to be against public policy and absolutely void.

That the bill be amended by striking out sections 2, 3 and 4, and that when so amended the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Senator Chantry, from the Committee on Charitable Institutions submitted the following report:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred Senate file No. 67, a bill for an act to amend section 2308 of the Code of 1873, and to provide for the adoption of children, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that section one (1) be amended by

inserting after the figures "2308" in the first line thereof, the following words: "of the Code of 1873," and when so amended that the bill do pass.

A. J. CHANTRY,
Chairman.

Ordered passed on file.

Senator Waterman, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 18, a bill for an act to amend chapter forty-eight (48) of the acts of the Twenty-second General Assembly relating to elections held within cities, and the registration of voters therein, beg leave to report that they have had the same under consideration, and that a substitute therefor has been prepared, which substitute they have instructed me to report back to the Senate with the recommendation that said substitute bill do pass, as reported herewith.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Senator Conaway, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 44, a bill for an act to license the manufacture, wholesale and retail dealer in cigarettes and to prohibit their sale to all minors under sixteen years of age, and to provide a penalty for violations thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following amendments thereto be made: The words "manufacture, wholesaling and," occurring after the word "license" in the first line of the title be stricken out. Also strike out after the word "cigarette," in the second line of the title, all of second line and the three first words of third line of the title. Strike out all of section one. Strike out the words "wholesaling or" in first line of section two. Strike out the words "wholesale or" in line four, section 2. Strike out the words "fifty (\$50) dollars for wholesale" in fifth line, also "and twenty-five (\$25) dollars," in sixth line, and insert the words "one hundred (\$100) dollars" in lieu thereof in the sixth line after the word "accredited," and before the word "to" insert the words "one half." After the word "and," and before the word "city" insert the words "one-half to the." Strike out all of line seven and insert in lieu thereof the words "in which said retail business is located or conducted." Make section 2 section 1 of the bill. Strike out all of section 3. Strike out of line one in section 4 the words "he, she or they." Also strike out of lines two and three, section 4, the words "twenty-five dollars," and insert in lieu thereof the words "fifty (\$50) dollars." After the word "offense" in third line of section 4 insert the following: "And every person selling cigarettes without a license, or selling or giving cigarettes to minors under sixteen years of age shall be fined in any sum not to exceed one hundred (\$100) dollars," and when so amended that it do pass.

A. B. CONAWAY,
Chairman.

Ordered passed on file:

Senator Finn, from the Committee on Educational Institutions, submitted the following report:

MR. PRESIDENT Your Committee on Educational Institutions, to whom was referred Senate file No. 21, a bill for an act in regard to the professional instruction of common school teachers in normal and high schools, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that same be amended by striking out of section 3 the word "twenty-five" and inserting the word "thirty" in lieu thereof, and by adding to section 5 the words, "Provided that not more than \$400.00 be appropriated to any one school in the same year," and with such amendments that the bill do pass.

G. L. FINN,
Chairman.

Ordered passed on file.

Senator Ellis, from the special committee appointed to visit the penitentiary at Anamosa, submitted his report.

Ordered printed and passed on file.

Senator Penrose, from the special committee appointed to visit the Industrial School for Girls at Mitchellville, submitted his report.

Ordered printed and passed on file.

Senator Waterman moved that joint resolution No. 2 on the Calendar be made a special order for next Wednesday at 10 o'clock A. M.

Carried.

Senator Downey's resolution relative to the appointment of a board of commissioners to have charge of State institutions was taken up for consideration.

Senator Lewis moved that the resolution be laid upon the table.

Carried.

Senator Downey called for the yeas and nays.

On the question, "Shall the resolution lie upon the table?" the yeas were:

Senators Andrews, Baldwin, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Eaton, Finn, Funk, Garst, Gorrell, Harmon, Harsh, Henderson, Jamison, Jewett, Lehfeldt, Lewis, Oleson, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Rowen, Turner, Upton, Vale—33.

The nays were:

Senators Bishop, Dent, Downey, Ellis, Green, Groneweg, Hipwell, Kilburn, Mattoon, Terry, Waterman—11.

Absent or not voting:

Senators Everall, Harper, Hurst, Kelly, Perry, Yeomans—6.

So the motion to lie upon the table carried.

Senator Finn asked that consideration of his resolution relative to the reinstatement of E. C. McMillan as warden of the penitentiary at Ft. Madison be postponed until next Monday.

It was so ordered.

Senator Reynolds asked that consideration of his concurrent resolution relative to the depositing of filth upon the capital grounds be laid over until tomorrow.

It was so ordered.

Senator Harper moved that Senate file No. 13 be taken up for consideration.

Carried.

Senator Harper moved that the rules be suspended, the bill be considered engrossed, and the bill be read a third time now.

Carried.

Senator Conaway moved that the bill be referred to the Committee on Judiciary.

Senator Lewis called for the yeas and nays.

On the question, "Shall the bill be referred to the Committee on Judiciary?" the yeas were:

Senators Andrews, Baldwin, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Eaton, Ellis, Finn, Garst, Gorrell, Green, Hurst, Jewett, Kelly, Perrin, Perry, Phelps, Rea, Rowen, Turner, Yeomans—25.

The nays were:

Senators Bishop, Boardman, Dent, Downey, Everall, Funk, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Jamison, Kilburn, Lewis, Mattoon, Oleson, Palmer, Penrose, Rikken, Terry, Upton, Vale, Waterman—23.

Absent or not voting:

Senators Lehfeldd, Reynolds—2.

So the question to refer was carried.

Senator Harmon asked consent to recall the report on Senate file No. 42, and that the bill be re-referred to the Committee on Judiciary.

Consent granted.

On motion of Senator Turner, Senate file No. 51, a bill for an act to amend Chapter 52 of the laws of the Twenty-first General Assembly, and to prevent deception in the use of imitations of butter and cheese, with the report of committee recommending amendments and that as amended the bill do pass, was taken up and considered.

The question now being upon the adoption of the amendments as recommended by the committee.

Adopted.

Senator Turner moved to amend by inserting after the word "persons," in the thirteenth line, the words "except the State Dairy Commissioner."

Carried.

Senator Turner moved that the rules be suspended and the bill as amended be considered engrossed and read a third time now.

Carried.

Senator Lewis called for the reading of the bill as amended.

Bill read.

Senator Lewis moved that by common consent the reading, just finished, of the bill be considered the third reading.

Carried.

On the question, "Shall the bill as amended pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfeldt, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman, Yeomans—45.

The nays were:

Senator Andrews.

Absent or not voting:

Senators Brower, Harper, Mattoon, Reynolds—4.

So the bill, as amended, passed, and the title was agreed to.

Senator Chantry moved to take up his motion to reconsider the vote by which House file No. 20 failed of passage.

Carried.

Motion to reconsider prevailed.

Senator Palmer moved that the bill be read a third time now.

Carried.

Senator Perry moved to amend by adding to the bill the following clause:

Provided, That registered pharmacists engaged in the sale of intoxicating liquors under a permit shall only be exempt from service on the grand jury.

Ruled out of order.

Senator Lewis moved that the vote by which the bill was passed to third reading be reconsidered, and called for the yeas and nays.

On the question, "Shall the vote by which the bill was passed to third reading be reconsidered?" the yeas were:

Senators Cheshire, Dent, Eaton, Everall, Green, Groneweg, Harsh, Hipwell, Kelly, Kilburn, Lewis, Oleson, Perry, Upton—14.

The nays were:

Senators Andrews, Baldwin, Bishop, Carpenter, Chantry, Craig, Downey, Ellis, Finn, Funk, Garst, Gorrell, Harmon, Harper, Henderson, Hurst, Jamison, Jewett, Lehfeldt, Palmer, Penrose, Perrin,

Phelps, Rea, Rigger, Rowen, Terry, Turner, Vale, Waterman, Yeomans—31.

Absent or not voting:

Senators Boardman, Brower, Conaway, Mattoon, Reynolds—5.

So the motion to reconsider was lost.

Yesterday's journal was read, corrected and approved.

Senator Kelly moved that the Senate do now adjourn until 10 o'clock A. M. to-morrow.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, February 2, 1894. }

Senate met in regular session at 10 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. W. J. Hastie, of Albia.

PETITIONS AND MEMORIALS.

Senator Jamison presented a petition from citizens of Clarke county asking for an appropriation of \$25,000 for the State Agricultural Society.

Referred to Committee on Agriculture.

Senator Conaway presented a petition on the same subject from Mahaska county.

Same reference.

Senator Harsh presented a petition from Truman Swayne and twenty-seven other citizens of Union county asking the State to give Agricultural Society \$25,000.

Referred to Committee on Appropriations.

Also:

A petition on the same subject from fifty residents of Ringgold county.

Same reference.

Senator Penrose presented a petition on the same subject from citizens of Tama county.

Same reference.

Senator Cheshire presented a petition on the same subject from citizens of Polk.

Referred to Committee on Agriculture.

Also.

A preamble and resolution passed by the Veteran Tippecanoe Club of Des Moines, relative to a change in the prohibitory laws.

Referred to the Committee on Suppression of Intemperance.

Senator Baldwin presented a remonstrance from the bar of Dubuque against passage of Senate file No. 19.

Referred to Committee on Congressional and Judicial Districts.

Senator Conaway presented a petition from 146 educators of Sioux City, asking for legislation to prevent the sale of tobacco to minors. Referred to Committee on Public Health.

INTRODUCTION OF BILLS.

By Senator Baldwin, Senate file No. 156, a bill for an act to amend chapter 10, title 3, of the Code of 1873, relating to selecting and drawing jurors.

Read first and second times and referred to Committee on Judicial Districts.

By Senator Cheshire, Senate file No. 157, a bill for an act making an appropriation for Benedict Home at Des Moines, Iowa.

Read first and second times and referred to Committee on Appropriations.

By Senator Cheshire, Senate file No. 158, a bill for an act to amend sections 2 and 4 of chapter 68, of the Laws of the Twenty-fourth General Assembly in relation to steam engines on public highways.

Read first and second times and referred to Committee on Highways.

By Senator Craig, Senate file No. 159, a bill for an act to amend section 7 of Chapter 77 of the acts of the Twenty-second General Assembly, making the powers granted in sections 472, 473, 474 and 475 of the Code of 1873, applicable to establishment of gas works or electric light plants and providing for the payment for the same by the issuing of bonds.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Funk, Senate file No. 160, a bill for an act to establish a State board of embalming, to provide for the better protection of life and health, to prevent the spread of contagious diseases, and to regulate the practice of embalming and the care and disposition of the dead.

Read first and second times and referred to Committee on Public Health.

By Senator Gorrell, Senate file No. 161, a bill for an act to establish legal time in the State of Iowa.

Read first and second times and referred to Committee on Judiciary.

By Senator Jamison, Senate file No. 162, a bill for an act to repeal section 2, chapter 168 of the Twentieth General Assembly, and substitute the following, relative to the admission of attorneys to practice law in the courts of this State.

Read first and second times and referred to Committee on Judiciary.

By Senator Palmer, Senate file No. 163, a bill for an act defining the powers of railroad companies with reference to the securities of other companies.

Read first and second times and referred to Committee on Railroads.

By Senator Rigger, Senate file No. 164, a bill for an act to repeal chapter 21, acts of the Twentieth General Assembly, chapter 140, acts of the Twenty-first General Assembly, chapter 56, acts of the Twenty-second General Assembly, chapter 52, acts of the Twenty-second General Assembly, chapter 53, acts of the Twenty-second General Assembly, chapter 43, acts of the Twenty-first General Assembly, chapter 46, acts of the Twenty-third General Assembly, and section 2 of chapter 54, acts of the Twenty-second General Assembly and to enact a substitute in lieu thereof, relating to the management of mines.

Read first and second times and referred to Committee on Mines and Mining.

By Senator Waterman, Senate file No. 165, a bill for an act defining the qualifications of jurors in actions against municipal corporations.

Read first and second times and referred to Committee on Judiciary.

By Senator Chantry, Senate file No. 166, a bill for an act providing for a commission to revise the school laws of the State.

Read first and second times and referred to Committee on Schools.

By Senator Ellis, Senate file No. 167, a bill for an act to amend section 3179 of the Code of Iowa in reference to appeals to the supreme court.

Read first and second times and referred to Committee on Judiciary.

By Senator Rowen, Senate file No. 168, a bill for an act entitled an act to confer upon women the privileges of voting at school elections.

Read first and second times and referred to Committee on Constitutional Amendments and Suffrage.

By Senator Groneweg, by request, Senate file No. 169, a bill for an act to authorize the manufacture and sale of intoxicating liquors in counties, cities, and incorporated towns, upon the vote of the electors thereof.

Read first and second times and referred to Committee on Suppression of Intemperance.

REPORTS OF STANDING COMMITTEES.

Senator Harmon, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 27, a bill for an act to repeal chapter 103, of the acts of the Twenty-first General Assembly of the State of Iowa, relating to release of judgments, mortgages and deeds of trust by administrators, executors or guardians in other States and countries and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by

striking out the word "county" in the fifth line of section 2 and insert the word "country" in lieu thereof. That the word "county" in the third line of section 3 be stricken out and the word "country" inserted in lieu thereof. That section 3 be amended by inserting after the word "court" in line thirty-eight the following: "And is authorized to execute the same and that the debt secured by the instrument sought to be released is the property of the estate." That the words "where the copy of the record authorized by this act," in the eighth and ninth lines of section 4 be stricken out and that the same as amended do pass.

W. M. HARMON,
Chairman.

Ordered passed on file.

Senator Vale, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 85, a bill for an act to restrain hunters from trespassing upon cultivated or enclosed lands without permission, and providing penalties therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows, viz: Strike out the word "twenty-five" in section 2 and insert "ten" in lieu thereof. Also strike out "or imprisonment in the county jail not more than thirty days," and insert "and costs of prosecution, and shall stand committed until said fine and costs are paid" in lieu thereof, and when so amended that the bill do pass.

B. R. VALE,
Chairman.

Ordered passed on file.

Senator Gorrell, from the Committee on Claims, submitted the following report:

MR. SPEAKER—Your Committee on Claims, to whom was referred Senate file No. 100, a bill for an act appropriating money to pay Captain Washington Galland for services as captain in organizing militia and volunteers for the protection of the State, and for services in the army of the United States during the war of the rebellion, and to reimburse him for monies expended in supporting and maintaining said militia and volunteers when so organized, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass; Senators Harper and Dent dissenting from this report.

J. R. GORRELL,
Chairman.

Ordered passed on file.

Senator Garst, from the Committee on Public Buildings, submitted the following report:

MR. PRESIDENT—Your Committee on Public Buildings, to whom was referred Senate file No. 94, a bill for an act authorizing the commissioners of the Iowa Soldiers' Home to grant right of way for an electric street car line over State grounds, beg leave to report that they have had the same under consideration and

have instructed me to report the same back to the Senate with the recommendation that the bill be referred to the Committee on Public Lands.

WARREN GARST,
Chairman.

Ordered passed on file.

Senator Eaton, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred Joint Resolution No. 3, relating to the construction of a canal from the Mississippi river to the Illinois river at Honnipen, in the state of Illinois, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

WILLIAM EATON,
Chairman.

Ordered passed on file.

On request of Senator Lewis, Senator Lehfeldt was granted leave of absence until Monday.

On request of Senator Conaway leave of absence was granted Senator Reynolds.

BILLS ON THIRD READING.

House file No. 20, a bill for an act to exempt registered pharmacists from jury duty by amending section 328, chapter 10, Laws of Iowa, was taken up.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Conaway, Craig, Ellis, Finn, Funk, Garst, Gorrell, Harmon, Harper, Henderson, Hurst, Jamison, Jewett, Mattoon, Oleson, Palmer, Perrin, Phelps, Rea, Rigger, Rowen, Turner, Vale, Waterman—29.

The nays were:

Senators Brower, Chantry, Cheshire, Eaton, Everall, Green, Grone-weg, Hipwell, Kelly, Kilburn, Lewis, Penrose, Perry, Terry, Upton—15.

Absent or not voting:

Senators Dent, Downey, Harsh, Lehfeldt, Reynolds, Yeomans—6.

So the bill passed and the title was agreed to.

Senator Andrews moved to take up all bills on calendar recommended for indefinite postponement.

Senator Lewis moved to amend by including bills reported with recommendation that they do not pass.

Motion as amended carried.

Senator Lewis moved to take up for consideration Senate file No. 37, and that the report of the committee be concurred in.

Carried.

On motion of Senator Lewis Senate file No. 48, a bill for an act to repeal section 963 of the Code, in reference to costs in appeals in locating highways, and to enact a substitute in lieu thereof, with report of Committee recommending it do not pass, was taken up and considered.

Senator Andrews moved that the further consideration of this bill be postponed till other bills relating to same subject be reported by Judiciary Committee.

Lost.

On the question, "Shall the report of the committee be concurred in?" the yeas were:

Senators Andrews, Baldwin, Cheshire, Conaway, Craig, Eaton, Finn, Garst, Gorrell, Green, Hurst, Jamison, Jewett, Kelly, Oleson, Penrose, Perrin, Perry, Phelps, Rea, Rigger—21.

The nays were:

Senators Bishop, Boardman, Brower, Chantry, Dent, Downey, Ellis, Everall, Funk, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Kilburn, Lewis, Mattoon, Palmer, Terry, Turner, Upton, Vale, Waterman—24.

Absent or not voting:

Senators Carpenter, Lehfeltdt, Reynolds, Rowen, Yeomans—5.

So the motion to concur was lost.

Senator Upton moved that the bill under consideration be referred to the Committee on Judiciary.

Carried.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate was asked:

Senate file No. 56, a bill for an act to amend sections 289 and 290, of the Code of 1873, as amended by chapter 16, of laws of the Twenty-fourth General Assembly of the State of Iowa, relating to the bonding of county indebtedness, also that the House has concurred in the Senate amendment to House file No. 21, a bill for an act to legalize the ordinances of the town council of the town of Moulton in Appanoose county, Iowa.

I. K. WILSON,
Chief Clerk

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

House file No. 23, a bill for an act to legalize the proceedings of the town council of the incorporated town of Lake City, Iowa, in establishing a system of water works, the issuing of bonds in payment thereof, and to legalize the ordinances and resolutions passed and adopted by the town council, and to legalize the elections held to vote upon the question of establishing a system of water works in said town of Lake City, Iowa.

House file No. 51, a bill for an act to legalize a resolution of the city council of the city of Oskaloosa, Mahaska county, Iowa, and all acts done in pursuance of said resolution.

I. K. WILSON,
Chief Clerk.

Senator Oleson moved that House file No. 23 be taken up for consideration.

Carried.

Reading of message was asked for.

Message read.

Senator Oleson moved that House file No. 23 be substituted for Senate file No. 33.

Carried.

Senator Oleson moved that the rules be suspended, and House file No. 23 be read a third time now.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hurst, Jamison, Jewett, Kelly, Kilburn, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Rigger, Rowen, Terry, Turner, Vale, Waterman—44.

The yeas were:

None.

Absent or not voting:

Senators Andrews, Hipwell, Lehfeldt, Reynolds, Upton, Yeomans—6.

So the bill passed and the title was agreed to.

Senator Harper moved that the recommendation of the committee to which was referred Senate file No. 10, a bill for an act to amend section 4440 of the Code of Iowa, in reference to instruction to juries, be concurred in.

Carried.

Senator Groneweg asked that Senate file No. 1 be continued on the calendar.

It was so ordered.

Senator Kilburn moved that Senate file No. 131, a bill for an act to legalize a certain ordinance of the city of Winterset, with report of committee recommending it pass, be taken up and considered.

Carried.

Senator Kilburn moved that the rules be suspended, the bill be considered engrossed and read a third time now.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Finn, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hurst, Jamison, Jewett, Kelly, Kilburn, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman—45.

The nays were:

None.

Absent or not voting:

Senators Everall, Hipwell, Lehfeldt, Reynolds, Yeomans—5.

So the bill passed and the title was agreed to.

Senator Harsh asked that 500 extra copies of Senate file No. 99 be printed.

It was so ordered.

Senator Finn, by unanimous consent, withdrew his resolution relative to the reinstatement of E. C. McMillan as Warden of the Penitentiary at Ft. Madison.

HOUSE MESSAGES TAKEN UP.

Senator Conaway moved that House messages be taken up for consideration.

Carried.

Senator Conaway moved that House file No. 51, a bill for an act to legalize a resolution of the city council of the city of Oskaloosa, Mahaska county, and all acts done in pursuance of said resolution be taken up for consideration.

Carried.

Senator Conaway moved that the bill be read a second time.

Carried.

Senator Conaway moved that the rules be suspended and the bill read a third time now.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman—47.

The nays were:

None.

Absent or not voting:

Senators Lehfeldt, Reynolds, Yeomans—3.

So the bill passed and the title was agreed to.

On request of Senator Ellis leave of absence was granted Mrs. Col-
den, clerk of Committee on Banks and Banking.

Senator Conaway moved Senate file No. 44, a bill for an act to
license manufacturers and wholesale and retail dealers of cigarettes,
and to prohibit their sale to all minors under sixteen years of age, and
to provide a penalty for the violation thereof, with report of the com-
mittee recommending amendments, and that as amended the bill do
pass, be taken up and considered.

Carried.

Senator Conaway asked for a reading of the committee report.

Report read.

Senator Conaway asked for the reading of the bill as amended.

Bill read.

Senator Mattoon moved that the bill as amended, be substituted
for the original bill and that the amended bill be ordered printed, and
that further consideration be postponed.

Carried.

Senator Reynolds asked unanimous consent that the consideration
of his concurrent resolution relative to the depositing of filth upon
capitol grounds be laid over.

Granted.

Senator Vale asked that 300 extra copies of Senate file No. 135 be
printed.

It was so ordered.

Senator Andrews asked that 300 extra copies of House joint resolu-
tion No. 4. be printed.

It was so ordered.

Yesterday's journal was read, corrected and approved.

Senator Groneweg asked that 600 extra copies of Senate file No.
169 be printed.

It was so ordered.

Senator Kelly moved that the Senate do now adjourn until 2
o'clock P. M., Tuesday, February 6.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, Tuesday, February 6, 1894. }

Senate met in regular session at 2 o'clock P. M., and was called to order by President Dungan.

Prayer was offered by Rev. Wm. E. Wilson, presiding elder, Iowa district.

Special order being the resolution relative to the death of Hon. T. C. McCall, a member of the Senate of the Twenty-fourth General Assembly. Senator Finn moved to postpone consideration of the resolution for thirty minutes.

Carried.

PETITIONS AND MEMORIALS.

Senator Chantry presented a petition from citizens of Montgomery county asking for an appropriation of \$25,000 for the State Agricultural Society.

Referred to Committee on Agriculture.

Senator Rowan presented a petition on the same subject from citizens of Wright county.

Same reference.

Senator Kilburn presented a petition on the same subject from fifty citizens of Madison county.

Same reference.

Senator Henderson presented a petition on the same subject from citizens of Pocahontas county.

Same reference.

Senator Garst presented a petition on the same subject from citizens of Sac county.

Same reference.

Senator Green presented a petition on the same subject from citizens of Jones county.

Same reference.

Senator Craig presented a petition on the same subject from citizens of Butler county.

Same reference.

Senator Jewett presented a petition on the same subject from citizens of Mitchell county.

Same reference.

Senator Conaway presented two petitions on the same subject from citizens of Mahaska county.

Same reference.

Senator Brower presented a preamble and resolution asking a modification of the prohibitory law, from the Hebrew Republican Club of Des Moines.

Referred to Committee on Suppression of Intemperance.

Senator Andrews presented a petition from merchants of the city of Audubon, Iowa, asking for the adoption of an act entitled, "An act to prevent and punish fraud in the sale of goods, wares and merchandise at public and private sales, by itinerant vendors, and regulate such sales."

Referred to Committee on Cities and towns.

Senator Oleson presented a petition from citizens of Ft. Dodge on same subject.

Same reference.

Senator Harsh offered a resolution from citizens of Creston endorsing Senate file No. 99, known as the "Harsh Bill."

Referred to Committee on the Suppression of Intemperance.

Senator Henderson presented a protest from women and non-voters against the repeal of the prohibitory law.

Same reference.

Senator Penrose presented two protests from women and non-voters and one from four voters of Toledo, Iowa, on same subject.

Same reference.

Senator Conaway presented two protests from citizens of Mahaska county on the same subject.

Same reference.

Senator Rea presented a petition from citizens of Black Hawk county, in favor of woman suffrage.

Referred to Committee on Constitutional Amendment and Suffrage.

Senator Chantry introduced the following resolution:

Resolved, by the Senate, That committee clerks are directed to report to the Secretary of the Senate fifteen minutes before 10 o'clock each forenoon, for such assignment of duty as will expediate the business of the Senate.

Adopted.

INTRODUCTION OF BILLS.

By Senator Baldwin, Senate file No. 170, a bill for an act amendatory of section 20, chapter 65, acts of the Twenty-first General

Assembly, and providing against deception by agents of benefit assessment associations.

Read first and second times and referred to Committee on Corporations.

By Senator Baldwin, Senate file No. 171, a bill for an act amendatory of chapter 33, acts of the Twenty-third General Assembly, entitled an act to prevent discrimination in life insurance.

Read first and second times and referred to Committee on Corporations.

By Senator Bishop, Senate file No. 172, a bill for an act to provide for the distribution of public documents.

Read first and second times and referred to Committee on Educational Institutions.

By Senator Carpenter, Senate file No. 173, a bill for an act to amend section two thousand six hundred and forty-eight (2648), of the Code of Iowa.

Read first and second times and referred to Committee on Judiciary.

By Senator Eaton, Senate file No. 174, a bill for an act to amend section 10, chapter 34, acts of the Twenty-third General Assembly.

Read first and second times and referred to Committee on Fish and Game.

By Senator Eaton, Senate file No. 175, a bill for an act making appropriations for the Hospital for the Insane at Clarinda, Iowa.

Read first and second times and referred to Committee on Appropriations.

By Senator Finn, Senate file No. 176, a bill for an act to fix and limit the charges of express companies in the State of Iowa.

Read first and second times and referred to Committee on Corporations.

By Senator Hipwell, Senate file No. 177, a bill for an act to repeal section 3327, chapter 4, title 20 of the Code relating to releasing of mortgages and a forfeit for not releasing; and enacting a substitute therefor.

Read first and second times and referred to Committee on Judiciary.

By Senator Kilburn, Senate file No. 178, a bill for an act to limit the compensation of county recorders and to require the payment of all excess of fees into the county treasury, and to require quarterly reports to, and annual settlements with the county board of supervisors.

Read first and second times and referred to Committee on Compensation of Public Officers.

Senator Brower offered the following concurrent resolution:

CONCURRENT RESOLUTION RELATIVE TO A JOINT COMMITTEE TO CHANGE SITE
OF SOLDIERS' MONUMENT.

WHEREAS, There appears to be dissatisfaction with the site heretofore selected for the Iowa soldiers' and sailors' monument and with it a growing desire that said site be changed; therefore, be it

Resolved by the Senate, the House concurring, That a committee of three on the part of the Senate and a like number on the part of the House, be appointed to consider the expediency and desirability of changing said site, to confer with the board of commissioners of said monument and others, and to report their conclusions to the two Houses at as early a day as possible by bill or otherwise.

Resolution adopted.

The President of the Senate appointed Senators Brower, Harmon and Everall such committee.

Senator Kilburn offered the following concurrent resolution:

CONCURRENT RESOLUTION RELATIVE TO DISTRIBUTION OF THE RULES OF THE
GENERAL ASSEMBLY.

Resolved by the Senate, the House concurring, That the Secretary of State is hereby directed to distribute five copies of the rules of the Twenty-fifth General Assembly to each member of said Assembly.

Senator Lewis objected to the present consideration of the resolution and it went over under the rule.

Senator Penrose offered the following resolution:

Resolved by the Senate, That hereafter a requisite number of pages shall be assigned for duty in the afternoon, when the senate is not in session, and also on Sundays. The detail of such pages to be under the direction of the Senate.

Resolution adopted.

Senator Carpenter offered the following preamble and resolution:

WHEREAS, Hon. F. A. Duncan, a Senator in the Twenty-first and Twenty-second General Assemblies, died at his home in Columbus Junction, Iowa, on Friday, February 2, 1894, therefore

Resolved by the Senate, That the President appoint a committee to draft and report to this body suitable resolutions in relation thereto.

The resolution was adopted and the president appointed as such committee Senators Carpenter, Vale and Kelly.

Senator Craig moved that consideration of the special order set for 2:30 o'clock P. M. be postponed until after the regular order of business.

Carried.

REPORTS OF STANDING COMMITTEES.

Senator Harmon, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 124, a bill for an act to regulate the cancellation of mortgages, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 126, a bill for an act to amend section 894, Code of 1873, laws of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 54, a bill for an act to amend section 1, chapter 162 of the Acts of the Eighteenth General Assembly, in relation to conveyances by foreign executors and trustees, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking out all of section 1 after the word "striking" in line four, and inserting in lieu thereof the words, "out the word 'three' where it appears in said section and insert the word 'one.'" And when the same is so amended it do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Senator Vale, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Joint Resolution No. 7, Joint Resolution and Memorial of Congress relative to a bill to limit the effect of the regulations of commerce between the several States and with foreign countries, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

B. R. VALE,
Chairman.

Ordered passed on file.

Senator Kilburn, from the Committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate file No. 17, a bill for an act providing salaries for sheriffs and their deputies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that there be substituted therefor the attached bill entitled "a bill for an act providing for limiting the compensation of sheriffs and their deputies," that the said substituted bill be printed, and that it do pass.

L. M. KILBURN,
Chairman.

Ordered passed on file.

Senator Baldwin, from the special committee appointed to visit the State fish hatchery at Spirit Lake, submitted report.

Ordered printed and referred to Committee on Fish and Game.

Senator Upton, from the special committee appointed to visit the State Normal School at Cedar Falls, submitted report.

Ordered printed and referred to Committee on Educational Institutions.

In Memoriam

.. of ..

Hon. T. C. McCall,

Late Senator, 31st District,

Who Died at his home,

Nevada Iowa,

August 11th, 1892.

The Resolutions Adopted, and the Speeches Made,

By his Colleagues,

February 6th, 1894.

The special order for the hour being the resolutions relative to the death of Senator T. C. McCall, a member of the Senate of the Twenty-fourth General Assembly.

On motion of Senator Boardman, the following resolutions were read:

WHEREAS, Hon. T. C. McCall, late Senator from the Thirty-first Senatorial District, died at his home in Nevada, Iowa, August 11, 1892, and

WHEREAS, The character and public service of the deceased are worthy of public recognition, therefore,

Resolved, That it is with sincere regret that this body learns of the death of Senator McCall, and we desire to express our appreciation of his high moral character, his integrity and honesty of purpose, and his valuable services as an honored member of this body.

Resolved, That for ourselves and the Senate, we express to his family our most sincere sympathy in the loss of a devoted husband and kind parent.

Resolved, That these resolutions be entered on the journal of the Senate, and the Secretary of the Senate be instructed to send an engrossed copy to Mrs. Thos. C. McCall, widow, and to the children of the late Senator.

H. C. BOARDMAN,
GEORGE L. FINN,
T. B. PERRY,

Committee.

In moving the adoption of the resolutions

SENATOR H. C. BOARDMAN,

of the Thirty-first District, spoke as follows: .

This being the time set apart that the members of this body may pay tribute to the memory of the late Senator McCall, I desire on behalf of the Thirty-first Senatorial District, and especially of Story county, to voice the thanks of the people of that district to this body, for this memorial and tribute to the deceased Senator.

I realize that nothing I can say will add to the high esteem and respect in which he was held by all in his own home and by his large circle of friends and acquaintances in the State, but on an occasion like this, although sad in itself, I consider it a pleasure, after fourteen year's personal acquaintance with the deceased, to express my own appreciation of his high character and qualities which made him an example as a citizen, legislator, and Christian man.

Hon. Thomas Clifton McCall, late a member of this Senate from the Thirty-first district, was born in Ross county, Ohio, September 4th, 1827, and was at the time of his death, which occurred August 11th, 1892, in his 65th year. He was the worthy descendant of patriotic ancestors. His paternal grandfather, Samuel McCall, was a faithful soldier in the revolutionary war, in which his mother's father also fought with distinction under Gen. Nathaniel Green. His father, Samuel W. McCall, was a soldier in the war of 1812, receiving honorable wounds in the battle of McQuaggy, at about the time of Hull's surrender.

In 1836 his father left Ohio and settled in Clinton county, Illinois,

where the family made their home for ten years. During this time young Mr. McCall was engaged in doing work upon the farm and in acquiring a good common school education.

In 1846 Mr. McCall, then a young man of nineteen, came with his father to Polk county, Iowa, and was engaged for some time in teaching school and is said to have conducted the first school ever taught in this county east of the Des Moines river.

In 1851 he opened a mercantile establishment at Lafayette in partnership with A. Y. Hull. Three years later he became the pioneer merchant of Rising Sun.

In 1858 he removed to Nevada, Story county, which place continued to be his home until the time of his death. He began dealing in real estate and this continued to be his business until he entered the Union army.

Mr. McCall always took a deep and earnest interest in public affairs, and his general intelligence, business ability, and worth as a citizen soon made him a leader in the community where he lived. Accordingly he was elected in 1861 a member of the House in the Ninth General Assembly, in which body he took his seat and served with signal ability during the regular and extra sessions of 1862.

When the storm of civil war burst forth, and brave men were rallying to the defense of country and flag, Mr. McCall, true to the example of a patriotic ancestor, volunteered his service to his country. In October, 1862, he was sent to the front a quartermaster of the Thirty-second Iowa Infantry, with the commission of lieutenant, and on March 22d, 1864, received from President Lincoln the appointment as Assistant Quartermaster-General, with the rank of Captain, in which capacity he served until November 27, 1865.

Returning to Nevada he again engaged in the real estate business, and continued to do his share as a citizen for the up-building materially, socially, and educationally, of his town and county.

In 1881 he was nominated by acclamation by the republican county convention to represent his county in the legislature. He was elected and re-elected in 1883, thus serving in the Nineteenth and Twentieth General Assemblies.

In 1891 he was nominated by the republican Senatorial convention as a candidate for the State senate from the thirty-first senatorial district consisting of Story and Boone counties. He was elected by a very large majority. He served his constituents as a senator faithfully and well in the Twenty-fourth General Assembly. During this last term of service it became evident to his friends, as it was undoubtedly felt by him, that his physical powers were declining; yet he stood nobly and uncomplaining at his post of duty and few senators were more prompt in the discharge of their duties than he.

His course as a legislator is marked by a sincere devotion to the common people. In private and in public he was near to them. They trusted him and he never betrayed that trust.

A republican in principle and conviction he was necessarily a partisan, but in his adherence to party he was fair and honorable and had the respect and friendship of political friends and opponents alike. Aggressive in debate and in defense of his party faith he never wounded by harsh invectives or bitter sarcasm.

Religiously he was an earnest and consistent member of the Presbyterian church and socially a member of the I. O. O. F. and G. A. R.

As a man and a neighbor he was held in the very highest esteem. He was an example of kindness, generosity and fair dealing. In all his extensive business relations he so conducted his affairs and was so just in his dealings, that no one ever complained of being wronged.

As the head of a family he was exceptionally kind and indulgent. Always providing for the welfare and comfort of those depending on him.

While the State has lost an able legislator, and his neighbors and friends a safe counsellor and good citizen, his widow and children mourn a greater loss. that of a noble, generous, tender husband and father.

SENATOR WM. GRONEWEG,

of the Nineteenth District, in seconding the motion of Senator Boardman, spoke as follows:

MR. PRESIDENT—I desire to second the resolution. It is with mingled sadness and pleasure that I refer to the loss of our esteemed and beloved colleague. It is with sadness and grief that we deplore his death and the loss of his wise and timely counsel, his sound and able judgment, which he always displayed when taking an active part in the deliberations upon this floor. And it is with pleasure that we look back to those days when he was among us, and recall his mild, pleasant face, and his courteous and affable manner with which he uniformly treated his associates.

My personal acquaintance with the late Senator McCall was short. In fact it was limited to the session of the Twenty-fourth General Assembly; but even those few weeks were sufficient for me to study his character and to discover his sterling virtues, and to learn to appreciate and to esteem him.

During this session it was my good fortune that I had the honor and pleasure to serve on one of the leading committees of the Senate with him, and thereby coming in close contact, it gave me abundant opportunities to observe and study his manner in handling the public business, and I am frank to say that a more earnest, faithful and conscientious public servant I never saw during my limited legislative experience.

Whenever the public interest or that of his constituents of his district was at stake, he was up to the emergency, ever ready to do battle for the common welfare of our state and his district in particular, and really he rendered more service than his delicate and feeble physical strength permitted.

It was plain to everyone who observed Senator McCall during the session of the last General Assembly, that he had passed the mile stone on the summit of the hill long ago and that his descent was slow but sure towards the dark river which he was so much sooner to cross into that country from which no traveler returns than his friends had anticipated.

But, Mr. President, when the angel of death knocks at the door of life, he questions not the hour of convenience, nor the day of opportunity, nor year of usefulness; the infant in his cradle; the youth

attending to his studies at school, trying to fit himself for the future walks of life; the young man, strong, healthy, vigorous, just striking out into the world, and to all appearance ready to conquer it; the man in middle age who has been and is battling with the waves of fortune, forth and back, with varied success; and then the man of mature age, who can look back either with fondness or despair; all are alike to him, and all have to obey his summons. Let us sympathize with the bereaved family, and, fellow senators, let us keep a warm place in our hearts for the memory of the late senator from Story, and let us honor and try to emulate his virtues.

“Peace be to his ashes.”

SENATOR A. B. FUNK,

of the Forty-seventh district, spoke as follows:

MR. PRESIDENT—I, too, would bring flowers to the bier of my lamented friend, the sainted Senator McCall. When he entered the Twenty-fourth General Assembly we were unacquainted, but ere long I recognized his sterling worth, and I prized his friendship very dearly. He never did anything for effect. He never endeavored to impress the senate or the reporters with his statesmanship. Self-seeking had part nor lot in his legislative career. In his own strong, brave way, he served the people of his district and State, never sparing himself when the call of duty came. He fairly won titles and honors and possessions, which are bequeathed to his loving family, but the richest legacy left by Thomas McCall is the memory of noble deeds and evidences of stalwart manhood. All honor to his memory.

SENATOR T. B. PERRY,

of the Fifteenth district, spoke as follows:

MR. PRESIDENT—I desire to add a few words to what has already been said. I had the pleasure of a short but pleasant acquaintance with the deceased. We lament the death of a citizen as we may know the excellence of his character. One of the highest traits in man is his admiration of goodness in others. Senator T. C. McCall was a good man, and we all mourn his loss.

He was of the old school of public men, dignified yet kind and courteous to all; the soul of honor. Conciliatory and charitable toward others, yet he was fearless and full of courage. His native good judgment, culture and experience acquired from a long and active public career made him a wise and able legislator. His counsels were often sought and cheerfully given. His great kindness and many excellent qualities of head and heart rendered him beloved by all. Thus may we emulate the example of so good a man, and long cherish his memory, as the soul is at rest. Peace be unto his ashes.

SENATOR A. J. CHANTRY,

of the Eighth district, spoke as follows:

MR. PRESIDENT—While listening to eloquent words of affection spoken in sadness, of the high character of the late Senator McCall, I have been peculiarly reminded of the feeling of sadness that came over me on the receipt of the intelligence of his passing away.

His long, faithful and eminent public service—his fidelity to every trust, his patriotic devotion to his country's flag, his warm-hearted friendship with which he inspired confidence and good cheer—constitute the *warp* and the *woof* of that high type of citizenship that is the crowning honor of our states.

As may be seen from his Senatorial record, he became a citizen of Iowa the first year after her bright star had been emblazoned on the blue field of the sisterhood of states.

If it be true that the most precious and resplendent jewels of a commonwealth are those of its children who have honored its origin, illumined its pathway and added luster to its fame. We may justly claim a place in the sacred shrine for our colleague and friend. The active portion of his life was contemporaneous with the rapid transition of our State from the condition of a sparsely settled territory to that of a populous, powerful and almost imperial commonwealth.

With the pride of a noble and fearless manhood, Captain McCall done his part to place in Iowa's proud history the page that tells of deeds of daring and heroism of her soldiers. He deserved and enjoyed the fullest confidence of his fellow citizens whom he had the honor to represent faithfully and ably in both branches of the legislature of his State. But as the mantle of years fell upon him, with their weight—rich with experience—but enfeebled with age, it became obvious to his friends and to himself—that he was descending into the valley through which flows that mythical river, the mortal shore-line of which, is always enshrouded in clouds and gloom and upon the banks of which stands the charnel house of mortality; and now, Mr. President, during these sacred moments of this memorial hour, may we not almost indulge in the imagination that as our friend and late colleague crosses the threshold and is lost to view, we stand for the moment very near to those whose stricken hearts have felt a dearer grief than we may know—whose hands in affection have smoothed down the sick man's pillow and trimmed the midnight lamp and in affection *we* say trusted citizen—noble friend—honored Senator, *peace be with thee*, and in the more endearing kinship of comradeship—*comrade*, farewell.

PRESIDENT W. S. DUNGAN

Spoke as follows:

SENATORS—If it be proper for me from my seat to add a word to what has been said by senators, I would be pleased to do so. Most of those who have spoken have said that their acquaintance with the late Senator McCall was of but limited duration. I have had the great pleasure of an intimate acquaintance with him for over thirty years, and I regarded him as one of my warmest friends in this State. To know him was to love him. That genial smile, which always greeted his friends, was but the reflection of a pure and generous nature within. The deceased senator was indeed a model citizen and soldier and statesman, and worthy the encomiums passed upon him by the senators who have spoken.

SENATOR. E. M. REYNOLDS,

of the Third district, spoke as follows:

MR. PRESIDENT—I feel that it is my duty to second the resolutions of the committee and add something to the memory of one that I knew so well. My acquaintance with the Hon. T. C. McCall began with the opening of the Nineteenth General Assembly—the last session held in the old Capitol building. Our seats were very near each other, almost in whispering distance. He occupied a seat with the Hon. Chas. Aldrich, the member from Hamilton county. I remember well the member from Story. He was very considerate of the rights and interests of the new and younger members.

He was always ready and willing to assist any one and never spared any pains to help a young and inexperienced member along. I feel that not a single living member of the House of the Nineteenth General Assembly has forgotten the member from Story, and were they here to-day would bear me out in what I say in praise of him. He possessed to a high degree, firmness of purpose and what is termed level-headedness. He never became rattled under any circumstances. I remember one day during a high wind, it was thought the old building would be wrecked, and while all was excitement the member from Story was, to all appearance, entirely unconcerned.

Another time a boy came in hurriedly and was directed to Mr. McCall's seat and handed him a telegram. The member from Story was seen to whisper a few words to the gentleman on his right and deliberately leave the chamber. It afterward transpired that his office was being consumed by fire. He was deliberate in all things; was never excited—always in full control of himself. His judgment never appeared to be at fault. I never knew him to take a position which he receded from. While he was firm he was not in the least overbearing.

He was always ready to yield to reason; however, I am confident that he would rather have suffered any pecuniary loss than to have enriched himself at the expense of the State. He was never mixed up in any job. He was the last man any lobbyist would think of approaching to secure his vote for the passage of a bad bill. He was quick to detect even the semblance of jobbery, no odds how cunningly disguised. He was not given to much speaking, he was rarely on his feet in debate, but was nevertheless always ready to say the right word at the right time, and succeeded in impressing everybody with the idea that he was industrious and always on the alert. He enjoyed the respect of all his colleagues. The members of this body who had the honor of his acquaintance during the last session of the General Assembly, remember him as a feeble, aged man, but his weakness was not of mind nor head.

We all remember that he vigorously defended and supported his measures, and what he opposed he opposed as strongly as many a man of double his strength or half his years.

Twelve years ago although his head was white his form was erect and voice strong and clear. Those who knew him then, and noticed

him two years ago, could not help but realize what a few years can do for us all. My former acquaintance with him caused us to become very intimate the last session. We boarded at the same house, consequently met often. He was always genial, although suffering constantly he was never anything but pleasant and cheerful, never complained. He was fully aware that his end was near, and more than once expressed a doubt of ever returning to the Senate. I know nothing of his last hours on earth, but I am confident that he continued to the last the uncomplaining gentleman.

I understand that his untiring zeal in pursuit of his business was rewarded with a fair share of this world's goods; that he was always willing to share freely with the needy. I cannot better close these short remarks than by saying that I loved him.

Senator Boardman moved that the resolutions be adopted by a rising vote of the Senate, and the President expressed his great pleasure in being able to announce that the resolutions were unanimously adopted.

In Memoriam

.. of ..

Hon. R. S. Smith,

Late Senator, 39th District,

Who Died at Iowa Falls, Iowa,

August 29th, 1893.



The Resolutions Adopted, and the Speeches Made,

By his Colleagues,

February 6th, 1894.

The special order being resolutions relative to the death of Hon. R. S. Smith, Senator from the Thirty-ninth District in the Twenty-fourth General Assembly, Senator Craig offered the following resolution:

WHEREAS, On August 27, 1893, Hon. R. S. Smith, a member of the Twenty-fourth General Assembly, died at Iowa Falls, Iowa, while on his return home from the Democratic State Convention, and was buried at Cedar Falls, Iowa, August 29, 1893; therefore,

Resolved, That in the death of Senator Smith we mourn the loss of an able and conscientious member of the Legislature, one devoted to the best interests of his constituents and the people of the State, whom he served with such signal ability on the floor of this Senate. We remember the kindly qualities of his generous heart, the noble attributes of his manhood, and shall ever cherish with fond and sincere recollection our departed friend and brother.

Resolved, That these resolutions be entered on the journal of this Senate.

Resolved, That the Secretary of the Senate be instructed to send an engrossed copy of these resolutions to the family of the late Senator Smith.

GEO. M. CRAIG,
JOHN EVERALL,
J. D. YEOMANS,
Committee.

In moving the adoption of the resolution

SENATOR GEORGE M. CRAIG.

of the Thirty-ninth district, spoke as follows:

MR. PRESIDENT—I shall not attempt to pronounce an elaborate eulogy on, or an extended biographical notice of the life of the late Senator Smith, nor shall I indulge in fulsome adulation, but I desire to simply make a truthful portraiture of a life largely devoted to the humbler pursuits.

Senator Smith was born April 14, 1844, in Bradford, Penn., and with his parents came to Cedar Falls, Iowa, in 1856. He was educated at Corning, N. Y., and Beloit, Wis., and after leaving school taught school for a while in Butler county, Iowa.

At the age of twenty-three he entered the mercantile business at Rock Grove, Iowa, where he met Miss Martha M. Heisz, to whom he was married December 18, 1869. These two moved directly to a farm near Parkersburg, Iowa, where the late Senator resided until his death.

He was suddenly stricken down in the prime of life and the full vigor of manhood, and the announcement of his death came like a thunder-bolt from a cloudless sky, casting a pall of mourning over his friends and the constituents he so ably represented on this floor.

I had the pleasure of forming his acquaintance when we were young men, which ripened into a warm personal friendship which lasted until his death.

In manners he was simple, modest and retiring, and it was only among his family and friends, where he was perfectly free and unre-

strained, that he displayed those noble and generous qualities of heart which he possessed to such an eminent degree.

Kind, charitable and humane, the poor and needy never appealed to him in vain. If he found any one in distress, he took immediate means to alleviate their suffering. He was the benefactor of the widow and orphan, and he never refused financial aid to a friend who had met with misfortune, and many an one who now owns nice and comfortable homes, owe it to the fact that he was a "friend in need."

His life was replete with noble and generous deeds, and hardly one who followed him to the tomb, who had not at some time received many acts of kindness at his hands.

Believing that political parties represented principles rather than schemes, he was an honest partisan and a zealous worker for the advancement and triumph of his party.

In the heated political contests in my county, in which he and I were the chairmen of our respective county committees, I can proudly say of him, that he never permitted his zeal for his party to betray him into any act inconsistent with his exalted ideas of morals and honesty, and he severely condemned the low and disreputable methods so often resorted to by politicians.

While the State has lost a most worthy citizen, let us also remember that his wife has lost a loving and devoted husband, and his children an indulgent and tender parent, that the family circle is broken, and may the eulogies delivered here to-day upon the death of our deceased brother shed a ray of light and hope in the home upon which the mantle of mourning has so recently fallen.

SENATOR JOHN EVERALL,

Of the Thirty-sixth district, in seconding the motion of Senator Craig, spoke as follows:

MR. PRESIDENT—I had not the opportunity or pleasure of knowing the late Senator R. S. Smith so long or so intimately as the eloquent Senator who preceded me, but I am pleased to note that my estimate of his character formed upon a short acquaintance is corroborated by the knowledge gained from the lifelong friendship of the present Senator from Butler.

My acquaintance with the late Senator extends to the convening of the Twenty-fourth General Assembly, when we like others met as strangers but parted firm friends.

I think, that perhaps no two members associated more when not in session than we. In this manner I learned to know and respect the man to whom the title "Senator" added nothing in my estimation.

"The rank is but the guineas stamp
The man's the gold for a' that."

Like the Senator from Butler I noted his retiring disposition, that he did not care or wish to attract attention and disliked posing or theatrical display in others. He was honest in his opinions and walked in the path of duty as he saw it. A democrat because he believed that it was for the best interests of the State and Nation that democratic principles should prevail, but he always gave his political opponents credit for the same honesty of purpose.

He did not believe that a person's honesty should be questioned because he was a republican, or patriotism for the reason that he was a democrat.

He looked, Mr. President, in his social relations, as we all should—beyond these political differences to the man behind—and saw true men and patriots in those who could not see from his standpoint. No narrow-minded man can do this. His mind was broad and he only regarded party lines as the means to accomplish an end, and if he thought they trended in a wrong direction would not be bound by them.

I last saw him a few days before his death, and we then planned what we would do at this session, both fully confident of meeting the other here, forgetting for the time Shakespeare's words, "Thou knowest 'tis common, all that live must die, passing through nature to eternity."

We value the treasure most when lost and custom makes us say those things of the dead that we perhaps should have said during their lives, but, sir, it is nature speaking; planted within our hearts by God himself is a longing after immortality. It is for this we toil, hoping to leave a footprint to be seen by those who follow.

As we wish to be remembered so do we cherish the memory of the "loved and lost". We would not forget if we could, so that there is a satisfaction in calling to our aid the photography of memory, and conjuring up the picture of our lost friend in recalling the warm, firm clasp of his hand, the noble character of the man, the warm impulses of a heart whose throbs are stilled forever. An honest man who so far as this life is "no more".

Longfellow says:

"No more; oh how majestically mournful are those words.
They sound like the roar of the wind through a forest of pines."

But we also remember the words of the same poet:

"There is no death; what seems so is transition;
This life of mortal breath
Is but the suburb of the life elysian
Whose portals we call death."

SENATOR GEORGE L. FINN,

Of the Sixth district, in speaking to the resolution, made eulogistic remarks relative to the high character and worth of the deceased senator.

Senator Craig moved that the resolutions be adopted by a rising vote of the Senate, and the President expressed his great pleasure to announce that the resolutions were unanimously adopted.

Senator Finn moved that after the correction of the journal the Senate adjourn until 10 o'clock tomorrow as a mark of respect to the late Senators Thomas C. McCall and R. S. Smith.

Carried.

Leave of absence was granted Senator Phelps.

The journal of the 2d was read, corrected and approved.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, February 7, 1894 }

Senate met in regular session at 10 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. Arthur T. Howell, of Russell, Iowa.

PETITIONS AND MEMORIALS.

Senator Terry presented a petition from citizens of Linn county asking for an appropriation of \$25,000 for the State Agricultural Society.

Referred to Committee on Agriculture.

Senator Reynolds presented a petition on the same subject from citizens of Davis county.

Same reference.

Also, a petition on the same subject from citizens of Appanoose county.

Same reference.

Senator Phelps presented a petition on the same subject from citizens of Shelby county.

Same reference.

Senator Andrews presented a petition from merchants of the city of Perry, Iowa, asking for the adoption of an act entitled, "An act to prevent and punish fraud in the sale of goods, wares and merchandise at public and private sales by itinerant vendors, and regulate such sales."

Referred to Committee on Cities and Towns.

Senator Cheshire presented a petition from merchants of Humboldt, Iowa, on same subject.

Same reference.

Senator Craig presented a petition on the same subject from merchants of Davenport.

Same reference.

Senator Penrose presented a protest from the Christian temperance voters of Tama county against the repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Terry presented a petition from Christian women of Cedar Rapids, Iowa, for the retention of the prohibitory law, for State enforcement of that law; also for laws against gambling and prostitution.

Same reference.

Senator Rowen presented a memorial from the W. C. T. U. of Iowa, asking for the maintenance of the prohibitory law.

Same reference.

Senator Reynolds presented a petition from over 300 miners of Mystic, Iowa, protesting against the passage of Senate file No. 2, a bill for an act to regulate mine workers and mine owners.

Referred to Committee on Mines and Mining.

Also:

A petition from 38 miners of Gladstone on the same subject.

Same reference.

Senator Gorrell presented a petition from residents of Newton, asking an appropriation of \$900 to complete payment on armory.

Referred to Committee on Military.

INTRODUCTION OF BILLS.

By Senator Cheshire, Senate file 179 a bill for an act to amend section 3 of Chapter 134 of the acts of the Twenty-first General Assembly, and to increase the number of the district judges in the Ninth judicial district.

Read first and second times and referred to Committee on Congressional and Judicial Districts.

By Senator Conaway, Senate file No. 180, a bill for an act to amend Chapter one hundred and fifty-one, acts of the Eighteenth General Assembly, relating to the State Board of Health.

Read first and second times and referred to Committee on Public Health.

By Senator Groneweg, Senate file No. 181, a bill for an act making appropriations for the Iowa School for the Deaf at Council Bluffs, Iowa.

Read first and second times and referred to Committee on Appropriations.

By Senator Henderson, Senate file No. 182, a bill for an act to change the time of making the semi-annual apportionment of school fund by the county auditor.

Read first and second times and referred to Committee on Schools.

By Senator Penrose, Senate file No. 183, a bill for an act limiting the life of liens created by mortgages upon real property and fixing a period when said liens shall expire.

Read first and second times and referred to Committee on Judiciary.

By Senator Upton, Senate file No. 184, a bill for an act legalizing the ordinances of the town of West Decorah, Iowa, and all acts of the officers of said town done thereunder.

Read first and second times and referred to Committee on Judiciary.

By Senator Turner, by request, Senate file No. 135, a bill for an act to authorize boards of supervisors to provide for the treatment of drunkenness.

Read first and second times and referred to Committee on Charitable Institutions.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate file No. 51, a bill for an act to repeal chapter 52, of the laws of the Twenty-fifth General Assembly, and enact the following in lieu thereof:

Amended by striking out the word "knowingly" in the fourth line and the last sentence after the word "days" beginning with the words "one-half, etc." in the seventeenth line, all in section 1. Also amending the title by inserting after the word "repeal" the words "section six (6) of."

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 3, a bill for an act providing for the suppression of the Russian thistle, so-called.

House file No. 24, a bill for an act for the protection of poor debtors in supplemental proceedings, and to repeal section 3137 of the Code and to enact a substitute therefor, and to amend sections 3141 and 3144.

House file No. 34, a bill for an act to indemnify officers serving executions, and to amend chapter 45 of the Twentieth General Assembly.

House file No. 53, a bill for an act to amend section 6, chapter 2, Title I., of the Code, changing the hour for the commencing of the General Assembly on the first day of the session.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following in which the concurrence of the Senate is asked:

House file No. 66, a bill for an act making appropriation for the support of the Iowa Weather and Crop Service.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following, in which the concurrence of the Senate is asked:

House file No. 86, a bill for an act to amend section 4560 of the Code.

House file No. 109, a bill for an act to legalize the incorporation of the town of Marble Rock, Floyd county Iowa, the election of its officers and acts done and ordinances passed by the council of said town.

Also Joint Resolution No. 6, relative to the disposition of funds appropriated by the Twenty-fourth General Assembly for the Fort Madison penitentiary and not used for the purpose for which they were appropriated.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the House was asked:

Senate file No. 15, a bill for an act to amend section 1119, of the Code of 1873, with respect to the publication of the annual report of the Iowa State Horticultural Society.

Senate file No. 32, a bill for an act to legalize the ordinances passed by the incorporated town of Templeton, Carroll county, Iowa.

Also Senate Joint Resolution No. 8, relative to mileage for members who visited the several State institutions.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate file No. 51, a bill for an act to repeal chapter 52 of the laws of the Twenty-fifth General Assembly and enact the following in lieu thereof:

Amended by striking out the word "knowingly" in the fourth line, and the last sentence after the word "days," beginning with the words "one-half, etc," in the seventeenth line, all in section 1. Also amending title by inserting after the word "repeal" the words "section six (6) of."

I. K. WILSON,
Chief Clerk.

Senator Finn, from the special committee appointed to visit the Hospital for the Insane at Clarinda, submitted report:

Ordered printed and passed on file.

Senator Perrin offered the following joint resolution:

JOINT RESOLUTION NO. 9.

WHEREAS, The people of the Hawaiian Islands have cast off the fetters of an effete and dissolute monarchy, and have assumed position among the republics of the earth, therefore be it

Resolved by the General Assembly of the State of Iowa, That we, the representatives of two millions of prosperous, happy, liberty-loving people, who have adopted as a State motto, "Our liberties we prize and our rights we will maintain," hail the new republic of Hawaii and send a message of greeting, admiration and cheer to our brethren across the sea.

Resolved, That we commend the courage, determination and constancy of the founders of the new republic, and bespeak a glorious future for their state.

Resolved, That these resolutions be referred to his excellency, the Governor, with the request that he transmit the same, with appropriate message to his excellency, the President of the Hawaiian republic.

HOUSE MESSAGES TAKEN UP.

House file No. 3, "A bill for an act for the suppression of the Russian Thistle, or Saltwort (*Salsoli Kali*, variety *Tragus*)," was read first and second times and referred to Committee on Agriculture.

House file No. 24, "A bill for an act for the protection of poor debtors in supplementary proceedings and repeal section 3137 of Code and enact a substitute therefor, and amend sections 3141 and 3144," was read first and second times and referred to Committee on Judiciary.

House file No. 34, "a bill for an act to indemnify officers serving execution, and to amend chapter 45 of the Twentieth General Assembly," was read first and second times and referred to Committee on Judiciary.

House file No. 53, "A bill for an act to amend section 6, chapter 2, title 1 of the Code, changing the hour for the convening of the General Assembly on the first day of the session," was read first and second times and referred to Committee on Elections.

House file No. 66, "A bill for an act making appropriation for the support of the Iowa Weather and Crop Service," was read first and second times and referred to Committee on Appropriations.

House file No. 86, "A bill for an act to amend section four thousand five hundred and sixty (4560), of the Code," was read first and second times and referred to Committee on Judiciary.

House file No. 109, "A bill for an act to legalize the incorporation of the town of Marble Rock, Iowa," was read first and second times and referred to Committee on Judiciary.

Joint resolution No. 6 was read first and second times.

JOINT RESOLUTION NO. 6.

Be it resolved by the General Assembly of the State of Iowa,

SECTION 1. That the appropriation made by the Twenty-fourth General Assembly, for the Ft. Madison Penitentiary of \$2,700 for a stone barn, \$250.00 for a certain piece of land, also, the following amounts appropriated by former General Assembly remaining unexpended in the hands of the warden which cannot be used without further legislation and are not needed for the purpose for which they were appropriated, viz: \$31.62 from solitary fund, \$71.00 for purchase of porcelain buckets, \$23.75 for iron bedsteads, making a total of \$3,076.37, be and the same is hereby covered back unto the State treasury and the acting warden and the State treasurer are hereby authorized to take such action and execute such papers and vouchers and make such entries on the books of their respective offices as may be necessary to carry out the provisions of this resolution.

SECTION 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State *Register*, and Des Moines *Leader*, newspapers published at Des Moines, Iowa.

Senator Waterman moved that the rules be suspended and the joint resolution be put upon its passage.

Carried.

Senator Lewis called for the reading of the resolution.

Resolution read.

Senator Finn moved that the resolution be amended to read: "Be it resolved by the Twenty-fifth General Assembly."

Carried.

Senator Lewis asked unanimous consent to have inserted a publication clause.

Consent granted.

On the question "Shall the joint resolution pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Downey, Eaton, Everall, Finn, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lebfeldt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rikken, Rowen, Terry, Turner, Upton, Vale, Waterman, Yeomans—48.

The nays were:

None.

Absent or not voting:

Senators Dent, Ellis—2.

So the joint resolution No. 6, as amended, passed and the title was agreed to.

Senate file No. 51, "A bill for an act to repeal section 6, of chapter 52, of the laws of the Twenty-first General Assembly, and enact in lieu thereof," as amended by the House was taken up.

On the question, "Shall the Senate concur in the House amendments?" the yeas were:

Senators Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Downey, Eaton, Everall, Finn, Garst, Gorrell, Groneweg, Harmon, Harper, Harsh, Henderson, Jamison, Jewett, Kelly, Lebfeldt, Lewis, Oleson, Palmer, Penrose, Perrin, Rea, Rikken, Turner, Upton, Vale, Waterman, Yeomans—36.

The nays were:

Senators Andrews, Green, Hurst, Kilburn, Perry, Phelps, Terry—7.

Absent or not voting:

Senators Dent, Ellis, Funk, Hipwell, Mattoon, Reynolds, Rowen—7.

So the amendments were concurred in.

Senator Perry filed the following explanation of his vote:

MR. PRESIDENT—I ask leave to explain my vote. I do not think the Senate should concur in the House amendment which strikes out the word “knowingly” from the bill as it was passed by the Senate. I do not think we should carry legislation so far as to make a man liable as a criminal for doing an act in perfect good faith and innocent of any wrong. This amendment makes a man a criminal, who without knowing the fact, has oleomargarine in his possession. I believe this is carrying legislation too far. I vote “no!”

BILLS ON THIRD READING.

Senator Perry moved that Senate file No. 26, a bill for an act to prevent assignment of certain claims and demand for the purpose of evading the exemption laws of this State, with report of committee recommending amendments, be taken up for consideration.

Carried.

Senator Perry moved that the substitute offered by the committee be adopted.

Senator Harsh asked that the bill as amended be read.

Bill read.

The question being on Senator Perry's motion that the substitute offered by the committee be adopted.

Carried.

Senator Perry moved that the rules be suspended, the bill be considered engrossed and read a third time now.

Carried.

On the question, “Shall the bill pass?” the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Downey, Eaton, Everall, Gorrell, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rikken, Rowen, Terry, Turner, Upton, Vale, Waterman, Yeomans—38.

The nays were:

Senators Finn, Garst, Green, Groneweg, Harper, Henderson, Mattoon, Oleson—8.

Absent or not voting:

Senators Dent, Ellis, Funk, Hipwell—4.

So the bill passed and the title was agreed to.

Senator Rowan asked 200 extra copies of Senate file No. 136 be printed.

It was so ordered.

Senator Gorrell asked, that by request of ex-Auditor Brown and others, that Senate file No. 138, No. 1 on calendar, “a bill for an act

to reimburse John L. Brown, as Auditor of State, during the years 1885 and 1886, for money expended in defense of his said office and of his official rights and duties," with majority and minority reports of the committee, be re-referred to the Committee on Claims.

It was so ordered.

REPORTS OF STANDING COMMITTEES.

Senator Harmon, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate file No. 42, a bill for an act to amend sections 289 and 290, of the Code of 1873, as amended by chapter 16, of the laws of the Twenty-fourth General Assembly of the State of Iowa, relating to the bonding of county indebtedness, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 165, a bill for an act defining the qualification of jurors in actions against municipal corporations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 118, a bill for an act amending section 4440 of the Code of Iowa, in reference to instructions to juries, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by substituting the following for section 1:

"SECTION 1. The court shall, upon written request of counsel for either party, before argument to the jury is begun, permit counsel to read the instructions which the court will give, *provided*, such written request is filed before the introduction of the evidence."

And that when so amended the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 134, a bill for an act to prevent the publication, selling or distribution of newspapers or pamphlets containing description of rounds fought at prize fights,

beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 83, a bill for an act to define and punish the crime of desertion, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking out the words, "no other evidence shall be required to prove that such husband was married to such wife than would be necessary to prove such fact in a civil action," and insert instead the words "oral evidence of the fact of marriage shall be competent, without the production of the certificate of marriage or record thereof," and that when so amended the bill do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 147, a bill for an act to amend chapter 1, title 9, of the Code of Iowa, and to more particularly define the manner of creating corporations for pecuniary profit, and to fix the liability of stockholders, and to fix the compensation to be paid the State for such franchises, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be referred to the Committee on Corporations.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 64, a bill for an act to apply the provisions of chapter 78, Laws of the Twenty-first (21st) General Assembly, as amended by chapter seventeen (17), Laws of the Twenty-second General Assembly, and chapter fifteen (15), Laws of the Twenty-fourth General Assembly, relating to the indebtedness of cities and towns, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking the following words out of lines five and six of the title, "relating to indebtedness of cities and towns," and inserting after the word "apply," in line two, the words, "to cities of the first class." That section 1 be amended by striking out the words "and towns" in line six, and inserting in lieu thereof the words "of the first class," and that when so amended the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 58, a bill for an act to repeal sections 4413 and 4414 of the Code as amended by chapter 39 of the Twenty-second General Assembly, relating to peremptory challenges of jurors in criminal cases and enacting the following in lieu thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that the same be indefinitely postponed,

M. W. HARMON,
Chairman.

Ordered passed on file.

Senator Andrews, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred House Joint Resolution No. 4, relating to service pensions, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the annexed committee resolutions be adopted as a substitute therefor, and when such substitute is adopted that it do pass.

H. F. ANDREWS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate file No. 104, a bill for an act requiring the United States flag to be placed upon all school houses or school grounds of the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be amended by adding to section two thereof the words "except during inclement weather," and that when so amended the same do pass.

H. F. ANDREWS,
Chairman.

Ordered passed on file.

Senator Kelly moved that the Senate do now adjourn until 10 o'clock A. M. to-morrow.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, February 8, 1894. }

Senate met in regular session at 10 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. Herman J. Powell, of Creston, Iowa.

PETITIONS AND MEMORIALS.

Senator Bishop presented a petition from citizens of Lyon county asking for an appropriation of \$25,000 for the State Agricultural Society.

Referred to Committee on Agriculture.

Senator Rea presented a petition on the same subject from citizens of Grundy county.

Same reference.

Senator Kelly presented a petition on the same subject from citizens of Iowa county.

Same reference.

Senator Lewis presented a petition from 92 mothers "who are tax-payers," of Chariton, Lucas county, Iowa, asking the ballot for women.

Referred to Committee on Constitutional Amendments and Suffrage.

Also:

A petition on the same subject from 17 women tax-payers of Corydon, Wayne county.

Same reference.

Senator Harsh presented a petition on the same subject from E. A. Higbee and 24 other mothers and tax-payers of Creston, Union county.

Same reference.

Senator Bishop presented a petition on the same subject from women "who are tax-payers" of O'Brien, Sioux, Clay, Woodbury and Harrison counties.

Same reference.

Senator Rowen presented petitions on the same subject from women taxpayers of Steamboat Rock, Ackley and Eldora.

Same reference.

Also:

A petition on the same subject from 492 voters and 397 women of various places.

Same reference.

Also:

A petition from 488 voters and 427 women for the protection of women.

Referred to Committee on Public Health.

Also:

A petition from 503 voters and 343 women for a law prohibiting the sale of tobacco to minors.

Same reference.

Senator Gorrell presented a protest from the Ministerial Association of Newton, Iowa, against the repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Waterman presented a petition from twenty-four mothers "who are tax payers," of Ottumwa, Iowa, asking the ballot for women.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Vale presented a petition on the same subject from Mrs. E. A. Howard and forty-four other mothers of Jefferson county.

Same reference.

Senator Dent presented a petition on the same subject from eighteen mothers "who are tax payers" of Le Mars, Iowa.

Same reference.

Senator Rea presented a petition on the same subject from Mrs Jennie E. Williams and forty-nine other mothers "who are tax payers" of Black Hawk county.

Same reference.

Senator Rea presented a petition from L. B. Deselhort and other citizens of Grundy county, asking for an appropriation of \$25,000 to the State Agricultural Society.

Referred to Committee on Appropriations.

Senator Craig presented two petitions on the same subject from mothers "who are tax payers" of Butler and Bremer counties.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Green presented a petition on the same subject from 14 mothers "who are tax-payers" of Anamosa.

Same reference.

Senator Eaton presented two petitions on the same subject from mothers "who are tax-payers" of Blanchard and Coin, Iowa.

Same reference.

Senator Perrin presented two petitions on the same subject from mothers "who are tax-payers" of Nashua, Riverton and Charles City, Iowa.

Same reference.

Senator Oleson presented a petition on the same subject from 17 ladies of Iowa Suffrage Association of Ft. Dodge, Iowa.

Same reference.

Senator Harmon presented two petitions on the same subject from mothers "who are tax-payers" of Independence and Manchester, Iowa.

Same reference.

Senator Lehfeldt presented two petitions on same subject from voters in his senatorial district.

Same reference.

Senator Conaway presented petitions from 450 citizens of Des Moines asking for legislation prohibiting the sale of cigarettes to minors.

Referred to Committee on Public Health.

Senator Penrose presented a memorial from the faculty of Western College, Toledo, Iowa, protesting against a change in the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Cheshire presented a memorial from citizens of Oak and Highland Parks, Des Moines, relating to prohibitory law.

Same reference.

Senator Upton presented a petition from citizens of his Senatorial district protesting against repeal or modification of the prohibitory law.

Same reference.

INTRODUCTION OF BILLS.

By Senator Baldwin, Senate file No. 186, a bill for an act to provide for the protection of game and fish.

Read first and second times and referred to Committee on Fish and Game.

By Senator Downey, Senate file No. 187, a bill for an act making an appropriation for the penitentiary at Ft. Madison.

Read first and second times and referred to Committee on Appropriations.

By Senator Everall, Senate file No. 188, a bill for an act to amend section 869, Code of 1873, relating to reports of county treasurer to county auditor.

Read first and second times and referred to Committee on Judiciary.

By Senator Funk, Senate file No. 189, a bill for a act to amend sections 2 and 3, chapter 34, acts of the Twenty-third General Assembly relative to the catching of fish.

Read first and second times and referred to Committee on Fish and Game.

By Senator Green, Senate file No. 190, a bill for an act providing for the continuance of the Iowa Geological Survey.

Read first and second times and referred to Committee on Appropriations.

By Senator Harper, Senate file No. 191, a bill for an act to amend chapter 156, laws of the Seventeenth General Assembly, relating to the protection of game.

Read first and second times and referred to Committee on Fish and Game.

By Senator Harper, Senate file No. 192, a bill for an act to indemnify sheriffs in the service of landlords' writ of attachment.

Read first and second times and referred to Committee on Judiciary.

By Senator Harper, Senate file No. 193, a bill for an act to legalize the assessment, levy and collection of taxes for library purposes in certain cities of the first class.

Read first and second times and referred to Committee on Judiciary.

By Senator Harper, Senate file No. 194, a bill for act to amend section 461, of the Code of Iowa, in reference to the establishment and maintenance of free public libraries.

Read first and second times and referred to Committee on Judiciary.

By Senator Hipwell, Senate file No. 195, a bill for an act to provide that telegraph companies transacting business in cities containing a population of not less than ten thousand shall keep their offices open during all hours, both day and night.

Read first and second times and referred to Committee on Corporations.

By Senator Kelly, Senate file No. 196, a bill for an act to amend section 836 of the Code of 1873, relating to State taxes.

Read first and second times and referred to Committee on Ways and Means.

By Senator Lewis, Senate file No. 197, a bill for an act to amend section 466 of the Code of 1873 (see 630 of McClain's Code of 1888), relative to the construction of sewers in incorporated towns.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Penrose, Senate file No. 198, a bill for an act to regulate and control the illegal sale of intoxicating liquors, including wine and beer in cities and incorporated towns, and to provide for taxing the same.

Read first and second times and referred to Committee on Suppression of Intemperance.

By Senator Reynolds, Senate file No. 199, a bill for an act to amend section 3, chapter 103, acts of the Twentieth General Assembly, relating to barbed wire around school houses.

Read first and second times and referred to Committee on Public Health.

By Senator Rowen, Senate file No. 200, a bill for an appropriation for the Industrial School at Eldora.

Read first and second times and referred to Committee on appropriations.

By Senator Rowen, Senate file No. 201, a bill for an act entitled an act to amend section 3861 of the Code, as amended by section 1, chapter 114, of the acts of the Twenty-first General Assembly, in relation to offenses against life and the person.

Read first and second times and referred to Committee on Public Health.

By Senator Turner, Senate file No. 202, a bill for an act making appropriations for the Soldiers' Home at Marshalltown.

Read first and second times and referred to Committee on Appropriations.

By Senator Upton, Senate file No. 203, a bill for an act to amend section 456, of the Code of 1873, relating to railways in cities and towns.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Upton, by request, Senate file No. 204, a bill for an appropriation for the Benedict Home of Decorah, Iowa.

Read first and second times and referred to Committee on Appropriations.

By Senator Waterman, Senate file No. 205, a bill for an act to amend chapter 197 of the acts of the Twentieth General Assembly.

Read first and second times and referred to Committee on Printing.

By Senator Waterman, Senate file No. 206, a bill for an act authorizing township trustees to procure and control property for public use at the expense of their township.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Yeomans, Senate file No. 207, a bill for an act to amend chapter 13, acts of the Twenty-first General Assembly, relating to aiding the construction of highway bridges over navigable boundary rivers of the State of Iowa.

Read first and second times, rules suspended, considered engrossed, read third time and passed the Senate.

Yeas—36.

Nays—1.

By Senator Ellis, Senate file No. 208, a bill for an act to amend section 1, chapter 109, acts of the Twenty-second General Assembly, providing for the traveling expenses of the Superintendent of Public Instruction.

Read first and second times and referred to Committee on Schools.

By Senator Boardman, by request, Senate file No. 209, a bill for an act to regulate the title of veterinary surgeon in the State of Iowa.

Read first and second times and referred to Committee on Agriculture.

By Senator Green, by request, Senate file No. 210, a bill for an act to amend chapter 167, Laws of 1882.

Read first and second times and referred to Committee on Schools.

By Senator Andrews, Senate file No. 211, a bill for an act to amend section 6, chapter 65, acts of the Twenty-first General Assembly, relative to the powers and duties of mutual benefit life insurance corporations and associations.

Read first and second times and referred to Committee on Judiciary.

Senator Yeomans moved that the rules be suspended and Senate file No. 207 be considered engrossed and read a third time now.

Carried.

Senator Lewis asked for the reading of the first section.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Carpenter, Cheshire, Conway, Downey, Ellis, Everall, Funk, Garst, Gorrell, Green, Growneweg, Harmon, Harper, Harsh, Hipwell, Hurst, Jamison, Kelly, Lewis, Mattoon, Oleson, Palmer, Penrose, Perry, Phelps, Reynolds, Rowen, Terry, Turner, Upton, Vale, Waterman, Yeomans—36.

The nays were:

Senator Henderson—1.

Absent or not voting:

Senators Andrews, Brower, Chantry, Craig, Dent, Eaton, Finn, Jewett, Kilburn, Lehfeldt, Perrin, Rea, Rigger—13.

So the bill passed and the title was agreed to.

REPORTS OF STANDING COMMITTEES.

Senator Harmon, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 117, a bill for an act to legalize the levy of taxes for 1893 in Carroll county,

Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking out of line 2 in section 2, the words "*Carroll Sentinel*" and inserting in lieu thereof the words "*Iowa State Register*," and that when so amended the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 20, a bill for an act to prevent monopolies in articles of general necessity, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed, for the reason that the law now provides for the proposed penalties.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 30, a bill for an act to amend section 3275, chapter 2, title 20, of the Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking out section 1 and substituting therefor the following:

Section 1. That section 3275 of the Code be amended by adding thereto the following: "But if defendant shall fail, refuse, or neglect to execute a deed quit claiming to plaintiff all his interest in the real property in controversy within a reasonable time after written demand therefor has been made on him, accompanied by a tender of one dollar and twenty-five cents, plaintiff, if successful, shall be entitled to receive the costs of the action, including an attorney fee as follows: For the first forty acres, or tract or lot, \$25; for each additional forty-acre tract or lot, \$15. When there are several defendants, the court may make an equitable apportionment of said costs and attorney's fees.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 13, a bill for an act to amend section 963 of the code of Iowa, relating to costs in case of appeal in the establishment of highways, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

M. W. HARMON,
Chairman.

Ordered passed on file.

Senator Vale, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 111, a bill for an act requiring owners of Osage orange hedge partition fences, to keep the same trimmed and to regulate the height thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

B. R. VALE.
Chairman.

Ordered passed on file.

Senator Carpenter, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 45, a bill for an act to amend section 1726 of the Code of 1873, allowing boards of directors to establish kindergarten schools, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

C. A. CARPENTER.
Chairman.

Ordered passed on file.

Senator Palmer, from the Committee on Constitutional Amendments and Suffrage, submitted the following report:

MR. PRESIDENT—Your Committee on Constitutional Amendments and Suffrage, to whom was referred Senate file No. 168, a bill for an act to confer on women the right to vote at school elections, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

D. J. PALMER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Constitutional Amendments and Suffrage, to whom was referred Senate file No. 34, a bill for an act to amend section 1, article 2, of the Constitution of Iowa and provide for its reference and publication, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, as the ground is covered by another measure reported back by this committee.

D. J. PALMER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Constitutional Amendments and Suffrage, to whom was referred Joint Resolution No. 4 proposing a change in the constitution of the State of Iowa, relative to suffrage, beg leave to

report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be adopted.

D. J. PALMER,
Chairman.

Ordered passed on file.

Senator Jewett, from the Committee on Elections, submitted the following report:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate file No. 71, a bill for an act to repeal section 18, of chapter 33, of the laws of the Twenty-fourth General Assembly, relative to posting sample ballots five days prior to election, and enacting a substitute in lieu thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with recommendation that the same do pass.

C. F. JEWETT,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Elections, to whom was referred House file No. 53, a bill for an act to amend section 6, chapter 2, Title I, of the Code, changing the hour for the convening of the General Assembly on the first day of the session, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

C. F. JEWETT,
Chairman.

Ordered passed on file.

Senator Groneweg, from the Committee on Manufactures, submitted the following report:

MR. PRESIDENT—Your Committee on Manufactures, to whom was referred Senate file No. 146, a bill for an act for the better protection of persons manufacturing, bottling or selling soda waters, mineral or aerated waters, cider, milk, cream or other lawful beverages, owning and using boxes, bottles, casks, kegs and barrels, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

WILLIAM GRONEWEG,
Chairman.

Ordered passed on file.

Senator Andrews, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate file No. 74, a bill for an act to amend chapter 105, acts of the Twenty-second General Assembly, allowing compensation for the soldiers' relief commission, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with

the recommendation that the substitute of the committee be adopted in lieu thereof, and that when so adopted that the substitute do pass.

H. F. ANDREWS,
Chairman.

Ordered passed on file.

Senator Boardman, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate file No. 13, a bill for an act to amend section 963 of the code of Iowa, relating to costs of appeal in the establishment of highway, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. C. BOARDMAN,
Chairman.

Ordered passed on file.

Senator Phelps, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate file No. 50, a bill for an act to amend sections 289 and 290 of the Code of 1873, as amended by chapter 16 of the Laws of the Twenty-fourth General Assembly of the State of Iowa, relating to the bonding of county indebtedness, and find the same correctly enrolled.

JULIAN PHELPS,
Chairman.

Senator Jamison offered the following:

JOINT RESOLUTION NO. 4.

Joint Resolution Proposing a Change in the Constitution of the State of Iowa Relative to Suffrage.

Be it resolved, by the General Assembly of the State of Iowa, That the following amendments to the constitution of the State of Iowa be and the same are hereby proposed:

First.—Strike out the word "male" in section 1, article 2, of said constitution.

Second.—Strike out the word "male" in section 4, article 8, of said constitution.

Resolved further, That the foregoing proposed amendments to the said constitution be and the same are hereby referred to the General Assembly to be chosen at the next general election for that purpose.

Senator Palmer moved that Joint Resolution No. 4 be made a special order for Tuesday next at 10 A. M.

Carried.

Senator Rowen, from the special committee appointed to visit the Benedict Home at Des Moines, submitted report.

Ordered printed and passed on file.

Senator Perry, from the special committee appointed to visit the School for the Deaf and Dumb at Council Bluffs, submitted report.

Ordered printed and passed on file.

Senator Boardman moved that joint resolution No. 7 be taken up for consideration.

Carried.

Report of committee was read.

Senator Boardman moved that the rules be suspended, joint resolution No. 7 be considered engrossed and read a third time now.

Carried.

On the question, "Shall the joint resolution pass?" the yeas were:

Senators, Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Downey, Eaton, Everall, Finn, Funk, Garst, Gorrell, Green, Groneweg, Harper, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfeldt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman, Yeomans—46.

The nays were:

None.

Absent or not voting:

Senators Craig, Dent, Ellis, Harsh—4.

So the joint resolution passed and the title was agreed to.

Senator Hipwell moved that joint resolution No. 3 be taken up for consideration.

Carried.

Joint resolution was read.

Senator Hipwell moved that the rules be suspended, the joint resolution considered engrossed and read a third time now.

Senator Mattoon moved that the reading just finished be considered the third reading of the resolution.

Carried.

On the question, "Shall the joint resolution pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Dent, Eaton, Ellis, Everall, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Lehfeldt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman, Yeomans—43.

The nays were:

None.

Absent or not voting:

Senators Craig, Downey, Finn, Harper, Harsh, Kilburn, Phelps—7.

So the joint resolution passed and the title was agreed to.

Senator Andrews moved that House joint resolution No. 4 be taken up for consideration.

Carried.

Senator Andrews asked that the joint resolution be read as it passed the House; also, that the Senate substitute be read.

Resolution and substitute were read.

Senator Andrews asked unanimous consent that the words "the Senate concurring" be stricken out of the substitute.

Granted.

Senator Andrews asked that 300 copies of the Senate substitute be printed.

It was so ordered.

On request of Senator Andrews the resolution was laid over, under the rule.

Senator Groneweg asked unanimous consent that Senate file No. 1 be recommitted to Committee on Judiciary.

Granted.

BILLS ON THIRD READING.

Senate file No. 4, a bill for an act providing salaries for justices of the peace and constables, in lieu of fees in criminal cases in townships having a population of over four thousand, repealing section 592 of the Code of Iowa, with report of committee recommending a substitute, was taken up, considered, and the report of the committee was adopted, and the substitute bill read a first and second times.

The question being "shall the rules be suspended, the substitute considered engrossed and read a third time now?"

Carried.

Senator Andrews moved that the reading just finished be considered the third reading.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Cheshire, Conaway, Downey Ellis, Everall, Funk, Garst, Gorrell, Groneweg, Henderson, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfeldt, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Reynolds, Rigger, Turner, Vale, Waterman, Yeomans—32.

The nays were:

Senators Carpenter, Chantry, Eaton, Harmon, Harper, Harsh, Mattoon, Upton—8.

Absent or not voting:

Senators Andrews, Brower, Craig, Dent, Finn, Green, Hipwell, Rea, Rowen, Terry—10.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 135, a bill for an act to prohibit the sale or giving of cigars, cigarettes or tobacco to minors under 16 years of age.

Also, that the House has concurred in the Senate amendment to Joint Resolution No. 6.

Also, that the House has passed the concurrent resolution in which the concurrence of the House was asked, relative to changing the site for the Iowa soldiers' and sailors' monument.

I. K. WILSON,
Secretary.

Senator Conaway moved that Senate file No. 44, No. 3 on the calendar, a bill for an act to license manufacturers and wholesale and retail dealers of cigarettes and to prohibit their sale to all minors under sixteen years of age and to provide a penalty for the violation thereof, be laid over.

Carried.

Senate file No. 67, a bill for an act to amend section 2308 of the Code of 1873, and to provide for the adoption of children, with report of committee recommending amendments and when so amended that it pass, was taken up, considered and the report of the committee was adopted.

Senator Cheshire moved that the rules be suspended, the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

Senator Lewis moved that the bill be referred to Committee on Judiciary.

Senator Andrews moved to amend that it be referred to Committee of Charitable Institutions.

Senator Lewis accepted the amendment, which carried.

Senator Bishop moved that further consideration of bills on calendar be deferred until to-morrow.

Carried.

Senator Ellis asked leave to file a motion to reconsider the vote by which Senate file No. 4 passed the Senate.

Leave was granted and motion filed.

Senator Ellis moved that Senate file No. 4 be recalled from the House.

Carried.

Senator Gorrell asked that three hundred extra copies of Senate file No. 142 be printed.

It was so ordered.

Yesterday's journal was read, corrected and approved.

Senator Andrews moved that the Senate do now adjourn until 10 o'clock A. M. to-morrow.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, Friday, February 9, 1894. }

Senate met in regular session at 10 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. Edmund M. Vittum, of Grinnell, Iowa.

PETITIONS AND MEMORIALS.

Senator Craig presented a petition from forty citizens of Butler county asking for an appropriation of \$25,000 for the State Agricultural Society.

Referred to Committee on Agriculture.

Senator Lewis presented a petition from S. H. Mallory and fifty-three other citizens from Lucas county on the same subject.

Same reference.

Also:

A petition on the same subject from G. W. Stanger and sixteen other citizens of Lucas county.

Senator Reynolds presented a petition from citizens of Brazil, Appanoose county, asking for the establishment of a labor bureau.

Referred to Committee on Labor.

Also:

A petition from miners of Brazil, Appanoose county, asking for the passage of certain bills relating to mining.

Referred to Committee on Mines and Mining.

Senator Carpenter presented a memorial from the ministerial association of Louisa county, protesting against the repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

INTRODUCTION OF BILLS.

By Senator Andrews, by request, Senate file No. 212, a bill for an act to define what shall constitute fraternal beneficiary societies, orders or associations, to provide for their incorporation and the regulation of their business, and for the punishment for violation of the

provisions of the act of their incorporation, and to repeal all existing acts inconsistent therewith.

Read first and second times and referred to Committee on Insurance.

By Senator Cheshire, Senate file No. 213, a bill for an act making an appropriation for the Iowa Industrial School, girls' department, at Mitchellville Iowa.

Read first and second times and referred to Committee on Appropriations.

By Senator Craig, by request, Senate file No. 214, a bill for an act to amend section twenty-one (21), of chapter eleven (11), of the acts of the Twenty-second General Assembly, relating to the establishment and maintenance of waterworks, gas and electric light plants.

Read first and second times and referred to Committee on Judiciary.

By Senator Ellis, Senate file No. 215, a bill for an act to provide for and regulate the administration of trusts by savings banks and trust companies.

Read first and second times and referred to Committee on Banks and Banking.

By Senator Oleson, Senate file No. 216, a bill for an act providing for the establishment of courts of conciliation, and prescribing the mode of procedure in same.

Read first and second times and referred to Committee on Judiciary.

By Senator Penrose, Senate file No. 217, a bill for an act making appropriations for the College for the Blind at Vinton, Iowa.

Read first and second times and referred to Committee on Appropriations.

By Senator Perry, Senate file No. 218, a bill for an act making appropriations for the Industrial Home for the Blind, at Knoxville.

Read first and second times and referred to Committee on Appropriations.

By Senator Reynolds, Senate file No. 219, a bill for an act to authorize the purchase of certain real estate in Des Moines, Iowa.

Read first and second times and referred to Committee on Libraries.

By Senator Waterman, by request, Senate file No. 220, a bill for an act to amend section 1, chapter 157, of the acts of the Twenty-first General Assembly.

Read first and second times and referred to Committee on Judiciary.

Senator Phelps introduced the following joint resolution.

JOINT RESOLUTION NO. 10.

Be it Resolved by the General Assembly of the State of Iowa, That the following amendment to the constitution of the State of Iowa, be and is hereby proposed to the Legislature of Iowa to be elected at the next general election for members of the General Assembly thereof, that is to say, strike out the words "at Iowa City

in the county of Johnson'' in section eight (8), article eleven (11), and in lieu thereof insert the following words: "at the city of Des Moines in the county of Polk."

Provided, That the city of Des Moines and the citizens thereof, furnish free of cost to the State suitable land for the location of the State University, and sufficient means to place upon said grounds as good improvements as now exist on the State University grounds at Iowa City.

Senator Harsh offered the following resolution:

Resolved, That hereafter until otherwise ordered the Senate post-office be kept open from 2 until 4 o'clock P. M. on Sundays.

Resolution adopted.

Senator Reynolds offered the following resolution and moved its adoption:

WHEREAS, The officers, students and principals of the Southern Iowa Normal Schools, located at Bloomfield, Iowa, joined by the Moulton High School, intend to visit the Capitol as an excursion party on Saturday, February 10, and believing said excursionists would highly appreciate any courtesies extended to them by this body; therefore, be it

Resolved, That said excursion party be admitted to the floor of this chamber in a body, or as many at one time as can be conveniently accommodated, and the sergeant-at-arms be directed to inform the door keepers.

Resolution adopted.

HOUSE MESSAGES.

House file No. 135, a bill for an act to prohibit the sale or giving of tobacco to minors under sixteen years of age, was read first and second times and referred to Committee on Public Health.

Senate Concurrent Resolution relative to appointment of a joint committee in reference to change of site of soldiers' monument was concurred in by the House.

The House concurred in Senate amendments to House message No. 6.

REPORTS OF STANDING COMMITTEES.

Senator Jamison from the Committee on Congressional and Judicial Districts submitted the following report, and asked that it be read, which was done:

MR. PRESIDENT—Your Committee on Congressional and Judicial Districts to whom was referred Senate File No. 156, a bill for an act to amend chapter 10, title 3, of the code of 1873, relating to selecting and drawing jurors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be referred to the Committee on Judiciary.

JAS. H. JAMISON,
Chairman.

Senator Jamison moved that the report be concurred in and the bill be referred to Committee on Judiciary.

Carried and bill referred.

Senator Waterman, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 97, a bill for an act to amend section 2, chapter 161, acts of the Twenty-first General Assembly of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the words, "or McClain's Code," in parentheses in the second line of section 1 of said bill, be stricken out, and the word "thereof" be inserted in lieu thereof; that the word "two" be inserted in lieu of the word "four" in the third line, and the number "2,000" in lieu of the number "4,000" in the same line. That as thus amended the bill do pass.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 43, a bill for an act to amend section 1, chapter 16, laws of the Twenty-second General Assembly, and granting additional powers to certain cities, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by inserting after the word "bonds," in the third line thereof, the words "or any outstanding floating warrants against the bridge fund," and that as thus amended the bill do pass.

H. L. WATERMAN,
Chairman.

Ordered passed on file

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 113, a bill for an act to legalize the ordinances and resolutions of the incorporated town of Imogene, Fremont county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the house with the recommendation that section two (2) of said bill be amended by striking out the words, "the Fremont County *Herald*," and inserting in lieu thereof the words, "the Des Moines *Leader*, a newspaper published at Des Moines, Iowa;" by inserting after the words, "the Fremont County *Sun*," in the second line of said section, the words, "a newspaper published in Fremont county, Iowa;" by striking out the words beginning with the word "newspapers," in the second line of said section two, and ending with the word "Iowa," in the third line thereof; and as thus amended that the bill do pass.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Senator Harmon, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your Committee on Judiciary, to whom was referred Senate file No. 88, a bill for an act to amend section 2120 of the Code of

Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 129, a bill for an act to amend chapter forty-four of the acts of the Twenty-fourth General Assembly, in relation to warehouse receipts, making the same apply to butter, eggs, cheese and dressed poultry, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Senator Reynolds, from the Committee on Mines and Mining, submitted the following report:

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred Senate file No. 2, a bill for an act to regulate coal miners and coal mine owners and operators within the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

E. M. REYNOLDS,
Chairman.

Ordered passed on file.

Senator Carpenter from the special committee appointed to draft resolutions of respect relative to the late Senator F. A. Duncan, submitted the following report:

MR. PRESIDENT—Your committee appointed to draft resolutions upon the death of Hon. F. A. Duncan, respectfully submit the following:

WHEREAS, Hon. F. A. Duncan, member of the House of Representatives in the Nineteenth and a Senator in the Twentieth and Twenty-first General Assemblies, died at his home in Columbus Junction, Iowa, February 2, 1894, and

WHEREAS, Senator Duncan was a man whose integrity and honesty were acknowledged by all; who served the people of his State as a legislator faithfully and well, and who lived and walked an upright man among his neighbors, and, who, dying as he lived, went fearlessly down into the unknown depths of the valley of the shadow of death; therefore be it

Resolved, That in perpetuation of the memory of his noble and generous qualities, we pause in our deliberations to enter upon the journal our remembrance of him and our sorrow for his death, and extend to his widow and family our brotherly sympathy.

Resolved, That the Secretary of the Senate be requested to transmit to the family of the late Senator Duncan an engrossed copy of this resolution.

C. A. CARPENTER,
M. J. KELLY,
B. R. VALE,
Committee.

Senator Carpenter moved that the resolutions be adopted by a rising vote of the Senate, and the President expressed his great pleasure to announce that the resolutions were unanimously adopted.

Senator Rowen asked unanimous consent to call up Senate file No. 146.

Senator Bishop called for the regular order. This was withdrawn.

Senator Rowen moved that Senate file No. 146, by Rowen, a bill for an act for the better protection of persons manufacturing, bottling or selling soda waters, mineral or aerated waters, cider, milk, cream or other lawful beverages, owning or using boxes, bottles, casks, kegs and barrels, with report of committee recommending that it pass, be taken up and considered.

Carried.

Senator Rowen moved that the rules be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Brower, Conaway, Dent, Downey, Eaton, Ellis, Everall, Finn, Funk, Gorrell, Green, Grone-
weg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison,
Jewett, Kilburn, Lehfeldt, Mattoon, Oleson, Palmer, Penrose, Perrin,
Phelps, Rea, Rowen, Terry, Turner, Upton, Vale—37.

The nays were:

Senators Boardman, Carpenter, Cheshire, Craig, Garst, Perry, Rigg-
gen, Waterman, Yeomans—9.

Absent or not voting:

Senators Chantry, Kelly, Lewis, Reynolds, —4.

So the bill passed and the title was agreed to.

BILLS ON THIRD READING.

On motion of Senator Bishop, Senate file No. 21, a bill for an act in regard to the professional instruction of common school teachers in normal and high schools, with report of committee recommending amendments and that as amended the bill do pass, was taken up, considered, and on report of Senator Bishop, the report of the committee was adopted.

Senator Bishop moved that section 9 be stricken out of the bill.

Carried.

Senator Brower moved that the bill be referred to Committee on Appropriations with the instruction that it be reported back by next Wednesday, the 14th, and that it retain its place on the calendar.

Carried and the bill was so referred.

MESSAGES FROM THE HOUSE.

The following messages was received from the House.

MR. PRESIDENT—I am directed to inform your honorable body that the House herewith returns Senate file No. 4 as was requested by the Senate.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed Joint Resolution No. 3, in which the concurrence of the House was asked, relative to the construction of a canal from the Mississippi river to the Illinois river at Hennepin, in the State of Illinois.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed Senate file No. 14, in which the concurrence of the House was asked: A bill for an act to repeal chapter 62 of the acts of the Twenty-fourth General Assembly, and to provide for the publication and distribution of the report of the Iowa Academy of Sciences.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed Joint Resolution No. 7 in which the concurrence of the House was asked: Relative to a bill to limit the effect of commerce between the several states and with foreign countries in certain cases.

I. K. WILSON,
Chief Clerk.

Leave of absence was granted Senators Conaway and Gorrell until Monday next.

Senator Phelps moved that Senate file No. 100 be passed and that it retain its place on the calendar.

Carried.

Substitute for Senate file No. 18, "a bill for an act to amend chapter 48 of the acts of the Twenty-second General Assembly, relating to elections held within cities and the registration of voters therein," was taken up and read first and second times.

Senator Waterman moved that the rules be suspended, the bill be considered engrossed, and read a third time now.

Carried.

Senator Andrews moved that the reading just finished be considered the third reading.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Downey, Eaton, Everall, Funk, Garst, Gorrell,

Green, Groneweg, Harmon, Harsh, Henderson, Hurst, Jamison, Jewett, Kilburn, Lehfelddt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds Rigger, Rowen, Turner, Upton, Vale, Waterman, Yeomans—42.

The nays were:

None.

Absent or not voting:

Bishop, Brower, Dent, Ellis, Finn, Hipwell, Kelly, Terry—8.

So the bill passed and the title was agreed to.

Senator Phelps, from the special committee to visit the Soldiers' Home at Marshalltown, filed a report.

Ordered printed and passed on file.

Senator Rea moved to take up Senate file No. 27, a bill for an act to repeal chapter 103 of the acts of the Twenty-first General Assembly of the State of Iowa, relating to release of judgments, mortgages, etc.

Carried.

Senator Rea moved that the amendments of the committee be adopted:

Carried.

Senator Rea moved that the rules be suspended, the bill be considered engrossed and read a third time now.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Downey, Eaton, Everall, Finn, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman, Yeomans—44.

The yeas were:

None.

Absent or not voting:

Senators Boardman, Dent, Ellis, Funk, Hipwell, Phelps—6.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

Senator Jamison, from the Committee on Congressional and Judicial Districts, submitted the following report:

MR. PRESIDENT—Your Committee on Congresssional and Judicial Districts, to whom was referred Senate file No. 179, a bill for an act to amend section three (3), of chapter one hundred and thirty-four (134), of the acts of the Twenty-first General Assembly, and to increase the number of district judges in the Ninth Judicial District, beg leave to report that they have had

the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JAS. H. JAMISON,
Chairman.

Ordered passed on file.

Senator Riggen asked leave to have 200 additional copies of Senate file No. 6 printed.

Granted.

Journal was read, corrected and approved.

Senator Green moved that the Senate adjourn until 10 A. M. tomorrow.

Pending the motion to adjourn Senator Ellis moved to take up the motion to reconsider the vote whereby Senate file No. 4, passed the Senate.

Senator Kilburn moved to lay the motion to reconsider on the table.

Senator Green insisted upon his motion to adjourn being put.

Motion to adjourn carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, Saturday, February 10, 1894. }

Senate met in regular session at 10 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. J. L. Blanchard, of Des Moines.

PETITIONS AND MEMORIALS.

Senator Terry presented two petitions from churches in Cedar Rapids, Iowa, protesting against repeal of prohibitory law.

Referred to committee on Suppression of Intemperance.

Senator Turner presented seven petitions from churches in Le Grand, Iowa, on the same subject.

Same reference.

President Dungan presented a resolution, in the nature of a petition, on the same subject, from the citizens of Holstein, Iowa, in mass convention assembled.

Same reference.

Senator Dent presented a petition from Richard Joseph Walmsley, of England, asking that the State of Iowa waive and relinquish all its claim and title to certain real estate situated in Plymouth county.

Referred to Committee on Judiciary.

Senator Turner presented a petition from the directors of the independent school district of Marshalltown, Iowa, in favor of Senate file No. 21.

Referred to Committee on Appropriations.

INTRODUCTION OF BILLS.

By Senator Boardman, Senate file No. 221, a bill for an act to repeal sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 15, of chapter 52, of the acts of the Twenty-first General Assembly, and to enact substitutes therefor, to prohibit the manufacture, sale, keeping for sale and fraudulent use of substances designed as a substitute for butter and cheese, to regulate the manufacture, sale, and keeping for sale of substances designed to be used as a substitute for butter and cheese.

Read first and second times and referred to Committee on Agriculture.

By Senator Harper, Senate file No. 222, a bill for an act regulating the writing of insurance risks.

Read first and second times and referred to Committee on Insurance.

By Senator Turner, Senate file No. 223, a bill for an act to provide for the restriction and suppression of hog cholera and swine plague in the State of Iowa.

Read first and second times and referred to Committee on Agriculture.

By Senator Turner, by request, Senate file No. 224, a bill for an act to repeal section 6 of chapter 29, acts of the Twenty-fourth General Assembly, amending section 1132 of the Code of Iowa, of 1873, relative to insurance, and to enact a substitute therefor in relation to accident or casualty insurance.

Read first and second times and referred to Committee on Insurance.

By Senator Yeomans, Senate file No. 225, a bill for an act to provide for the designation of police stations for the detention of women and children under arrest, and for the appointment of police matrons therefor in all cities which, according to the last federal census, contained a population of 25,000 inhabitants or upward, or that may hereafter have such population.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Green, Senate file No. 226, a bill for an act making appropriation for the penitentiary at Anamosa, Iowa.

Read first and second times and referred to Committee on Appropriations.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed Joint Resolution No. 3, in which the concurrence of the House was asked, relative to the construction of a canal from the Mississippi river to the Illinois river at Hennepin, in the state of Illinois.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed Senate file No. 14 in which the concurrence of the House was asked:

A bill for an act to repeal chapter 62 of the acts of the Twenty-fourth General Assembly and to provide for the publication and distribution of the report of the Iowa Academy of Sciences

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed Joint Resolution No. 7, in which the concurrence of the House was asked:

Relative to a bill to limit the effect of commerce between the several States and with foreign countries in certain cases.

I. K. WILSON,
Chief Clerk.

Senator Boardman asked leave to have 400 additional copies of Senate file No. 221 printed.

Granted.

Senator Finn asked that 200 extra copies of Senate file No. 114 be printed.

Granted.

HOUSE MESSAGES.

House file No. 74, a bill for an act to prevent and punish the improper use of money at elections, was read first and second times and referred to Committee on Elections.

House file No. 77, a bill for an act to exempt poultry from attachment and execution, was read first and second times and referred to Committee on Ways and Means.

House file No. 155, a bill for an act to require the United States flag to be placed within all school houses of the State of Iowa, was read first and second times and referred to Committee on Military.

REPORTS OF COMMITTEES.

Senator Harmon from the Committee on Judiciary, submitted the following report.

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 109, a bill for an act to legalize the incorporation of the town of Marble Rock, Floyd county, Iowa, the election of its officers and all acts done and all ordinances passed by the council of said town, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 68, a bill for an act repealing section 3511 of the Code of 1873, and re-enacting the same so as to make the same plain and intelligible, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 162, a bill for an act to repeal section 2, chapter 168, of the Twentieth General Assembly and substitute the following, relative to the admission of attorneys to practice law in the courts of this State, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 11, a bill for an act relating to peremptory challenges to jurors in criminal cases, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed for the reason that another bill covers the same subject matter.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 86, a bill for an act to amend section four thousand five hundred and sixty (4560) of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Senator Vale, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 76, a bill for an act to prevent deception in the sale or other disposition of milk, and to preserve the public health, and to prescribe the duties of the dairy commissioner in relation thereto, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the title of the bill be stricken out and the following inserted in lieu thereof: "A bill for an act to repeal sections 1, 2, 3, 4, 5, 7 and 8, of chapter 50, acts of the Twenty-fourth General Assembly, relating to the duties and powers of State Dairy Commissioner and enact the following in lieu thereof."

Also insert the following as section 1. "That sections 1, 2, 3, 4, 5, 7, and 8, of chapter 50, acts of the Twenty-fourth General Assembly be and the same are hereby repealed, and the following enacted in lieu thereof:"

Also that section 1 be changed to section 2; section 2 to 3; section 3 to 4; section 4 to 5; section 5 to 7; section 6 to 8; section 8 to 10, and that section 7 be struck from the bill, and when so amended that the bill do pass.

B. R. VALE,
Chairman.

Ordered passed on file.

Senator Kilburn, from the Committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate file No. 132, a bill for an act to regulate the compensation of councilmen in cities of the second class, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

L. M. KILBURN,
Chairman.

Ordered passed on file.

Senator Andrews, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate file No. 128, a bill for an act to provide a room for the Grand Army of the Republic, Department of Iowa, in the Capitol building and for an appropriation therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that section 1 thereof be amended by striking out the words "it being the same room which it now occupies," and by adding thereto the words "and that janitor service therefor be provided by the State."

And that the same be further amended by striking out section 2 thereof, and to substitute the following:

"SEC. 2. That there is hereby appropriated from any funds in the State treasury the sum of fifteen hundred dollars, or so much thereof as may be necessary for the purpose of repairing, fitting and furnishing said room, and that the same shall be expended under the order of the executive council." And when so amended that the same do pass.

H. F. ANDREWS,
Chairman

Ordered passed on file.

Senator Lewis, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 39, a bill for an act making an appropriation for the Iowa Weather and Crop Service, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

L. W. LEWIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 115, a bill for an act to provide for the proper interment of the remains of persons on Okoboji and Spirit Lakes, massacred by the Sioux Indians in 1857, and for the erection of a commemorative monument, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. W. LEWIS,
Chairman.

Ordered passed on file.

Also:

Mr. President—Your Committee on Appropriations, to whom was referred House file No. 66, a bill for an act making an appropriation for the support of the Iowa Weather and Crop Service, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. W. LEWIS,
Chairman.

Ordered passed on file.

Senator Finn, from the Committee on Educational Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred Senate file No. 172, a bill for an act to provide for the distribution of public documents, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

GEO. L. FINN,
Chairman.

Ordered passed on file.

Senator Kilburn asked leave to withdraw his motion of yesterday to lay on table Senator Ellis' motion to reconsider vote by which Senate file No. 4, entitled a bill for an act limiting the compensation of justices of the peace, passed the Senate, on condition that Senator Ellis' motion shall not be taken up today, but retain its place on the calendar.

Leave granted.

Senator Ellis moved that consideration of his motion to re-consider be laid over until next week.

Carried.

Senator Reynolds asked leave to withdraw his resolution relative to the depositing of filth upon the Capitol grounds.

Leave granted.

BILLS ON THIRD READING.

Senate file No. 85, a bill for an act to restrain hunters from trespassing on cultivated or enclosed lands without permission, and providing penalties therefor, with report of committee recommending amendments, and that when so amended that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Funk moved that the rules be suspended, the bill be considered engrossed and read a third time now.

Carried.

Senator Ellis moved the following amendment:

Amend by striking out of section 1 the words "dog or."

Senator Brower in the chair.

Senator Kelly moved to strike out the enacting clause.

Upon this the yeas and nays were demanded.

On request of Senator Palmer, leave of absence was granted Senator Carpenter for to-day.

On request of Senator Jamison, leave of absence was granted Senator Harsh for today.

On the question, "Shall the enacting clause be stricken out?" the yeas were:

Senators Dent, Green, Harper, Kelly, Waterman—5.

The nays were:

Senators Baldwin, Bishop, Boardman, Chantry, Cheshire, Craig, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Harmon, Henderson, Hurst, Jamison, Jewett, Kilburn, Lewis, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale, Yeomans—34.

Absent or not voting:

Senators Andrews, Brower, Carpenter, Conaway, Gorrell, Groneweg, Harsh, Hipwell, Lehfeltdt, Mattoon, Oleson—11.

So the question to strike out the enacting clause was lost.

Upon the amendment offered by Senator Ellis, the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Dent, Ellis, Green, Harper, Kelly—5.

The nays were:

Senators Bishop, Boardman, Chantry, Cheshire, Craig, Downey, Eaton, Everall, Finn, Funk, Garst, Henderson, Hurst, Jamison, Jewett, Kilburn, Lewis, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman, Yeomans—32.

Absent or not voting:

Senators Andrews, Baldwin, Brower, Carpenter, Conaway, Gorrell, Groneweg, Harmon, Harsh, Hipwell, Lehfeltdt, Mattoon, Oleson—13.

So the amendment was lost.

Senator Ellis offered the following amendment:

Add after the end of section 1 the words: "whenever the agent or owner shall give notice by posting or otherwise forbidding such trespass."

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Craig, Ellis, Green, Harmon, Hipwell, Harper, Kelly, Mattoon, Terry, Upton, Waterman—11.

The nays were:

Senators Baldwin, Bishop, Boardman, Chantry, Cheshire, Downey,

Eaton, Everall, Finn, Funk, Garst, Henderson, Hurst, Jamison, Jewett, Kilburn, Lewis, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Turner, Vale, Yeomans—29.

Absent or not voting:

Senators Andrews, Brower, Carpenter, Conaway, Dent, Gorrell, Groneweg, Harsh, Lenfeldt, Oleson—10.

So the amendment was lost.

The bill was read a third time.

On the question "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Brower, Chantry, Cheshire, Craig, Downey, Eaton, Everall, Finn, Funk, Garst, Harmon, Henderson, Hurst, Jamison, Jewett, Kilburn, Lenfeldt, Lewis, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Vale, Yeomans—34.

The nays were:

Senators Dent, Ellis, Green, Harper, Kelly, Mattoon, Upton, Waterman—8.

Absent or not voting:

Senators Andrews, Carpenter, Conaway, Gorrell, Groneweg, Harsh, Hipwell, Oleson—8.

So the bill passed and the title was agreed to.

On request of Senator Groneweg, Senator Oleson was granted leave of absence.

Senator Dent submitted a preamble to be attached to Senate file No. 82.

Yesterday's journal was read, corrected and approved.

Senator Terry moved that the Senate do now adjourn until 10 o'clock A. M., Monday, February 12th.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Monday, February 12, 1894 }

Senate met pursuant to adjournment at 10 o'clock A. M., President Dungan in the chair.

Prayer by Rev. E. W. Curtis, Des Moines.

PETITIONS AND MEMORIALS.

Senator Cheshire presented a petition from the faculty of Des Moines College, protesting against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Eaton presented a petition from the faculty of Tabor College, Tabor, Iowa, on the same subject.

Same reference.

Senator Rowen presented a petition on the same subject, from the citizens of Des Moines, Iowa.

Same reference.

Senator Bishop presented a petition from Adelaide Ballard, of Hull, Sioux county, Iowa, asking to be granted the right to vote.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Garst presented a petition from citizens of Sac county, asking for an appropriation of \$25,000.00 for the State Agricultural Society.

Referred to Committee on Agriculture.

INTRODUCTION OF BILLS.

By Senator Cheshire, by request, Senate file No. 227, a bill for an act appropriating money to Thomas J. Window and Thomas B. Crampton, to reimburse them for money expended in capturing live stock thieves.

Read first and second times and referred to Committee on Claims.

By Senator Harper, Senate file No. 228, a bill for an act to abolish certain offices connected with State institutions, substituting therefor a board of control and defining its power and duties.

Read first and second times and referred to Committee on Ways and Means.

By Senator Kilburn, by request, Senate file No. 229, a bill for an act to repeal section 906 and section 907, of the Code of 1873, and chapter 62, Acts of the Fifteenth General Assembly, and enacting a substitute therefor, relating to the collection of taxes.

Read first and second times and referred to Committee on Ways and Means.

By Senator Kilburn, by request, Senate file No. 230, a bill for an act to provide for the medical treatment of inebriates.

Read first and second times and referred to Committee on Suppression of Intemperance.

By Senator Mattoon, by request, Senate file No. 231, a bill for an act to remove a cloud from the title to certain land for the relief of Dudley W. Adams.

Read first and second times and referred to Committee on Judiciary.

By Senator Rigger, by request, Senate file No. 232, a bill for an act to facilitate the transfer of real estate and to perfect the title thereof.

Read first and second times and referred to Committee on Judiciary.

By Senator Rowen, by request, Senate file No. 233, a bill for an act to require street railway companies to pay their employes each day.

Read first and second times and referred to Committee on Labor.

By Senator Waterman, Senate file No. 234, a bill for an act to amend chapter 200 of the acts of the Eighteenth General Assembly.

Read first and second times and referred to Committee on Compensation of Public Officers.

By Senator Waterman, Senate file No. 235, a bill for an act to amend section 4748 of the Code, relative to the government and discipline of the penitentiary at Ft. Madison, Iowa.

Read first and second times and referred to Committee on Penitentiaries and Pardons.

By Senator Bishop, by request, Senate file No. 236, a bill for an act to apply to the provisions of chapter 58, Seventh General Assembly, and amendments thereto existing, relating to bonded indebtedness of counties, cities and towns.

Read first and second times and referred to Committee on Judiciary.

Senator Kelly offered the following concurrent resolution:

CONCURRENT RESOLUTION RELATIVE TO ADJOURNMENT.

Resolved, by the Senate, the House concurring, That the President of the Senate and the Speaker of the House of Representatives of the Twenty-fifth General Assembly shall each declare their respective houses adjourned *sine die* on Thursday, March 29, 1894, at 12 o'clock, noon.

Resolution laid over under the rule.

Senator Lewis offered the following resolution, and moved its adoption:

Resolved, That five hundred copies of the "Standing Committees of the Senate" be printed in small pamphlet form, and also that two hundred copies of the "assignment of rooms for committees and time of meeting" be printed on cardboard for the use of the Senate.

Resolution adopted.

Senator Lewis offered the following resolution and moved its adoption:

Resolved, That the sergeant-at-arms be instructed to close the curtains of the Senate windows at the bottom and open them at the top.

Resolution adopted.

REPORTS OF STANDING COMMITTEES.

Senator Craig, from the Committee on Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred Senate file No. 147, a bill for an act to amend chapter 1, title 9, of the Code of Iowa, and to more particularly define the manner of creating corporations for pecuniary profit, and to fix the liability of stockholders, and to fix the compensation to be paid the State for such franchises, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: By striking out all after the third line in section 8 and inserting in lieu thereof the following, "franchise fee as follows: On an authorized capital stock not exceeding ten thousand (\$10,000) dollars the fee shall be twenty-five (\$25.00) dollars; exceeding ten thousand (\$10,000) and less than twenty-five thousand (\$25,000) dollars, the fee shall be fifty (\$50.00), and each additional one thousand (\$1,000) dollars, the fee shall be one-half of one per cent," and when so amended it do pass.

GEORGE M. CRAIG,
Chairman.

Ordered passed on file.

Senator Ellis, from the Committee on Banks and Banking, submitted the following report:

MR. PRESIDENT—Your Committee on Banks and Banking, to whom was referred Senate file No. 109, a bill for an act relating to the publication of quarterly statements of banks, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Senator Finn, from the Committee on Educational Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was

referred Senate file No. 151, a bill for an act for the permanent support and maintenance of the Iowa State University, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

GEO. L. FINN.
Chairman.

Ordered passed on file.

Senator Harmon, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 214, a bill for an act to amend section two (2) of chapter eleven (11) of the acts of the Twenty-second General Assembly, relating to the establishment and maintenance of water works, gas and electric light plants, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to the Committees on Cities and Towns.

M. W. HARMON,
Chairman.

Ordered passed on file.

Senator Upton, from the Committee on Printing, submitted the following report:

MR. PRESIDENT—Your Committee on Printing, to whom was referred Senate file No. 205, a bill for an act to amend chapter 197 of the acts of the Twentieth General Assembly in relation to circulation of newspapers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

C. C. UPTON,
Chairman.

Ordered passed on file.

Senator Waterman, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 159, a bill for an act to amend section 1, chapter 11, of the acts of the Twenty-second General Assembly, making the powers granted in sections 472, 473, 474 and 475, of the Code of 1873, applicable to the establishment of gas works or electric light plants, and providing for the payment of the same by the issue of bonds, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation, at the request of its author, Senator Craig, that the bill be indefinitely postponed.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No 143, a bill for an act creating in certain cities of the first class a board of library trustees, defining the powers and prescribing the duties of such

board, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that with the following amendments the bill do pass:

That the title of said bill be amended by striking out the words "in cities of the first class" in the first line thereof; by substituting the word "any" for the word "every" in the first line of section 1; by striking out the words, "of the first class" in the same line, and inserting in lieu thereof, the words, "or incorporated town;" by striking out the word "city" in the fourth line, the word "city" in the seventh line and the word "city" in the ninth line of said section and by inserting after the word "city" in the fourteenth line of the same section, the words "or incorporated town," and by inserting after the word "city" in the fifteenth line of the same the words "or incorporated town."

By striking out the word "city" in the fourth line of section 2 of said bill.

By striking out the word "city" appearing before the word "treasury" and the word "city" before the word "treasurer" in the second line of section 3; also by inserting after the word "city" in the third line of said section, the words "or incorporated town," and by striking out the words "city auditor" in the fourth line in the same section, and inserting in lieu thereof the word "mayor."

By striking out the words "of such city" in the third line of section 4; by striking out the word "city" in the fourth line; by inserting after the word "city" in the sixth line the words "or incorporated town;" by striking out the word "such" immediately following the word "*provided*" in the Sixth line of section 4, and inserting in lieu thereof the words, "that in cities of the first-class the."

By striking out the word "city" in the first line of section 5.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Senator Kilburn, from the Committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate file No. 178, a bill for an act to limit the compensation of county recorders, and to require the payment of all excess of fees into the county treasury, and to require quarterly reports to, and annual settlements with the county board of supervisors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that section one be amended by striking out the words and figures "two thousand (2,000)," and inserting the words and figures "fifteen hundred (1,500)" in lieu thereof, and that as amended the bill do pass.

L. M. KILBURN,
Chairman.

Ordered passed on file.

Senator Phelps, from Committee on Enrolled bills, submitted the following report:

MR. SPEAKER—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Senate file No. 51, an act to repeal section six (6), of chapter fifty-two (52) of the Twenty-first General Assembly. Also:

Senate file No. 15, an act to amend section 1119 of the Code of 1873, with respect

to the publication of the annual report of the Iowa State Horticultural Society.
Also:

Senate file No. 32, an act legalizing the town ordinances of Templeton, Carroll county, Iowa. Also:

Joint Resolution No. 8, relating to the allowance of mileage to the members of the visiting committees to the various State institutions.

JULIAN PHELPS,
Chairman.

Senator Ellis asked that his motion to reconsider vote by which Senate file No. 4, entitled a bill for an act limiting the compensation of justices of the peace, passed the Senate, be postponed, but retain its place on the calendar.

It was so ordered.

Senator Palmer introduced the following resolution:

WHEREAS, The national flag is displayed above the Senate chamber this morning upside down; and

WHEREAS, The Senate is ignorant of the significance of this action; therefore,
Resolved, That the custodian of the capitol be requested to inform the Senate if this indicates his opinion that the Senate is top-heavy; or, if not, if he can in any other way satisfy public curiosity on the matter.

Passed on file.

BILLS ON THIRD READING.

On motion of Senator Waterman, Senate file No. 17, a bill for an act providing salaries for sheriffs and their deputies, with report of committee, recommending a substitute and that the substitute do pass, was taken up, considered, and the report of the committee was adopted.

Substitute read first and second times.

Senator Waterman moved that the rules be suspended, the substitute be considered engrossed, and read a third time now.

Carried.

Senator Groneweg moved to amend by striking out the words, "January 1, 1895," in section 5 and insert in lieu thereof the words, "January 1, 1896."

Carried.

The Governor's private secretary appeared and presented

A MESSAGE FROM THE GOVERNOR:

STATE OF IOWA, EXECUTIVE OFFICE, }
DES MOINES, February 10, 1894. }

MR. PRESIDENT—I am directed by the Governor to report that he has approved, signed and deposited in the office of the Secretary of State, Senate file No. 56, an act to amend sections 289 and 290, of the Code of 1873, as amended by chapter 16, of the laws of the Twenty-fourth General Assembly of the State of Iowa, relating to the bonding of county indebtedness.

W. S. RICHARDS,
Private Secretary.

Senator Cheshire offered the following amendment to the substitute to Senate file No. 17:

Amend by striking out the words "outside of his county," in the eighth and ninth lines of section 2, and insert in lieu thereof the words "in serving process in criminal cases."

Carried.

Senator Kelly offered the following amendment:

Strike out all after the word "sheriffs" in the first line of section 2 up to and including the words "per annum" in the third line of said section.

Carried.

Senator Finn offered the following amendment:

To strike out of the third and fourth lines of section 2, the words "twenty-five thousand" and insert in lieu thereof "twenty-eight thousand."

Carried.

Senator Lewis offered the following substitute for section 2:

Sheriffs in counties having a population of more than twenty-eight thousand (28,000) and less than forty-five thousand (45,000) according to the last State or National census, shall pay into the county treasury all fees received by them and their deputies in excess of twenty-three hundred (\$2,300) dollars per annum; in counties having a population of more than forty-five thousand (45,000) all the fees received by them and their deputies in excess of twenty-eight hundred (\$2,800) dollars per annum. *Provided, however,* That each sheriff shall furnish a statement under his oath to the board of supervisors of all expenses actually and necessarily paid by him while in performance of official duties in service of process in criminal cases, which amount shall be allowed and paid out of the county treasury.

Senator Finn moved to amend substitute section two by inserting after the word "sheriff" the words "in such counties."

Senator Lewis accepted the amendment.

Senator Harper moved to amend by striking out of substitute section two the words and figures "twenty-eight hundred (2,800)" and inserting the words and figures "three thousand (3,000)."

Carried.

Senator Rikken offered the following amendment:

Amend by inserting after the words "twenty-eight thousand" the words, "in which there are cities of 10,000 or over."

Lost.

Senator Cheshire offered the following amendment:

Amend by adding after the word "treasury" in the last line of substitute for section 2, the following words: "the fees retained by the sheriff under the provisions of this act, shall be in full compensation for all services."

Carried.

Miss Lena Cochran appeared at the desk and was sworn in as clerk of the Committee on Banks and Banking, the appointment having been made on account of the continued illness of the former committee clerk.

Senator Ellis moved that further consideration of substitute for Senate file No. 17 be postponed, and that it retain its place upon the calendar.

Carried.

Yesterday's journal was read, corrected and approved.

On request of Senator Kelly, Senators Yeomans and Perry were granted leave of absence until Wednesday.

On request of Senator Lewis, Senator Funk was granted leave of absence.

On request of Senator Harmon, Senator Jamison was granted leave of absence.

Senator Phelps, for Senator Perry, asked that 200 extra copies of Senate file No. 7 be printed.

It was so ordered.

Senator Bishop asked that 200 extra copies of Senate file No. 21 be printed.

It was so ordered.

Senator Lewis moved that the Senate do now adjourn until 10 o'clock A. M. to-morrow.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, February 13, 1894. }

Senate met in regular session at 10 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. W. W. Douner, of Des Moines.

PETITIONS AND MEMORIALS.

Senator Jamison presented a petition from the faculty of Simpson College asking that no change be made in the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Brower presented a petition on the same subject, from the republican and temperance people of Cerro Gordo county.

Same reference.

Senator Eaton presented a petition from the Society of Friends, of Albion, Marshall county, Iowa, on the same subject.

Same reference.

Senator Eaton presented a petition from the W. C. T. U. of Morning Sun, Iowa, on the same subject.

Same reference.

Senator Rowen presented a petition on the same subject, from non-voters of Toledo, Iowa.

Same reference.

Senator Ellis presented a petition from citizens of Clinton county asking for an appropriation of \$25,000 for the State Agricultural Society.

Referred to Committee on Agriculture.

Senator Lehfelddt presented a petition from W. A. McHenry and forty-one other citizens from Crawford county on the same subject.

Same reference.

Senator Harsh presented a petition from F. R. Davidson and fifty-three other citizens from Union and Adams counties on the same subject.

Same reference.

Senator Gorrell presented a petition from fifty-two citizens of Jasper county on the same subject.

Same reference.

Senator Conaway presented a petition from the Christian Endeavor Society of the Christian church of New Sharon, Iowa, asking the passage of a law prohibiting the sale of tobacco to minors under sixteen years of age.

Referred to Committee on Public Health.

Senator Rowen presented a petition on the same subject from the Friends Christian Endeavor Society, of Iowa Falls, Iowa.

Same reference.

Senator Harper presented a remonstrance from citizens of Burlington, Iowa, against any change in the fish and game laws and asking for a game warden.

Referred to Committee on Fish and Game.

INTRODUCTION OF BILLS.

By Senator Carpenter, Senate file No. 237, a bill for an act to amend section 10 of chapter 70 of the acts of the Sixteenth General Assembly, as amended by chapter 92 of the acts of the Eighteenth General Assembly, in relation to the taking of fish from the waters of the Mississippi, Missouri and Des Moines rivers.

Read first and second times and referred to Committee on Fish and Game.

By Senator Ellis, Senate file No. 238, a bill for an act to amend section 2976, title 18, chapter 1, of the code of 1873, in respect to garnishment.

Read first and second times and referred to Committee on Judiciary.

By Senator Green, Senate file No. 239, a bill for an act to improve streets and highways by macadamizing.

Read first and second times and referred to Committee on Highways.

By Senator Lehfelddt, Senate file No. 240, a bill for an act to amend section 277 of the Code of 1873, relative to the administering of oaths and the acknowledgment of instruments in writing by notaries public.

Read first and second times and referred to Committee on Judiciary.

By Senator Mattoon, Senate file No. 241, a bill for an act to control the charges of telegraph companies in the State of Iowa.

Read first and second times and referred to Committee on Corporations.

By Senator Perrin, Senate file No. 242, a bill for an act to repeal section 560 of the Code of 1873, and to provide a substitute therefor.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Perrin, Senate file No. 243, a bill for an act to amend section 559 of the Code of 1873, to provide for alleys.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Vale, by request, Senate file No. 244, a bill for an act to establish in each county a board of children's guardians, and giving such board power to act in certain cases where the welfare of children is concerned.

Read first and second times and referred to Committee on Charitable Institutions.

By Senator Groneweg, Senate file No. 244, a bill for an act to amend Chapter 13, Title 22, of the Code, in relation to the State Library, as amended by Chapter 13, acts of Nineteenth General Assembly, and Chapter 191, acts of Twentieth General Assembly.

Read first and second times and referred to Committee on Appropriations.

By Senator Rigger, Senate file No. 246, a bill for an act to provide for the semi-weekly payment of employes in coal mines.

Read first and second times and referred to Committee on Mines and Mining.

By Senator Ellis, Senate file No. 247, a bill for an act authorizing the appointment of a commission to ascertain and mark the position occupied by Iowa troops on Lookout Mountain and Missionary Ridge (the battles of Chattanooga).

Read first and second times and referred to Committee on Military.

By Senator Brower, Senate file No. 248, a bill for an act to make further provision for the care of insane persons.

Read first and second times and referred to Committee on Charitable Institutions.

Senator Finn introduced the following resolution and moved its adoption:

Resolved, That the Pioneer Law Makers' Association of Iowa, to be in the city of Des Moines, to-morrow, February 14, be cordially invited to visit the Senate on that date, at such hour as may be arranged for, and that a committee of three, of which Senator Harmon shall be chairman, be appointed to communicate this invitation and make the necessary arrangements therefor.

Resolution adopted.

REPORTS OF STANDING COMMITTEES.

Senator Vale, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House file No. 3, a bill for an act providing for the suppression of the Russian thistle, so called, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the words, "shall be liable for all damages resulting to others

and," near the close of the second section, be stricken out, and when so amended that the bill do pass.

B. R. VALE,
Chairman.

Ordered passed on file.

Senator Cheshire, from the Committee on Labor, submitted the following report:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate file No. 72, a bill for an act to provide for the protection and safety of employes of railways operated by electricity and to require such railways to vestibule and enclose the platform of their cars and to provide a penalty for the violation thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

THOMAS A. CHESHIRE,
Chairman.

Ordered passed on file.

Senator Chantry, from the Committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred memorial of the Boys' and Girls' National Home and Employment Association of the United States and Dominion of Canada, relating to schools for dependent children, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be laid on the table.

A. J. CHANTRY,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred Senate file No. 185, a bill for an act to authorize boards of supervisors to provide for the treatment of drunkenness, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the senate with the recommendation that it be indefinitely postponed.

A. J. CHANTRY,
Chairman.

Ordered passed on file.

Senator Carpenter, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 182, a bill for an act to change the time of making the semi-annual apportionment of the school fund by the county auditor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it be indefinitely postponed.

C. A. CARPENTER,
Chairman.

Ordered passed on file.

Senator Waterman, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 197, a bill for an act to amend section 466 of the Code of 1873, relative to the construction of sewers in incorporated towns, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the words “(section 630 of McClain’s Code of 1888)” in the title, and the words “(section 630 of McClain’s Code of 1888)” in the first line of section one of said bill, be stricken out, and as thus amended that the bill do pass.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 206, a bill for an act authorizing township trustees to procure and control property for public use at the expense of their townships, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that with the following amendments the bill do pass:

That the word “voters” in the first line of section 1 be stricken out, and in lieu thereof the words “resident freeholders” be inserted.

That the word “build” in the second line of section 1 be stricken out and the word “erect” be inserted in lieu thereof, that there be added to section 1 the words, the amount petitioned for shall not exceed six mills on the assessed valuation of the property in said township as shown by the last assessment.” That the word “build” in the second line of section three be stricken out and the word “erect” be inserted in lieu thereof.

That the word “and” be inserted between the words “entertainments” and “lectures” in the third line of section six, and that the abbreviation “etc.” in the same line be stricken out.

That there be added to said bill the following:

“Section 7. The trustees of any township accepting the provisions of this act may levy a tax not to exceed $\frac{1}{2}$ mill in any one year, to keep said building in repair and to provide for taking care of the same.”

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Senator Kilburn, from Committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate file No. 60, a bill for an act to repeal sections Nos. 181, 183, and 3777 of the Code and enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out all of section one after the word “State” in the seventh line, and all of section six, and that when so amended it be referred to the Committee on Judiciary.

L. M. KILBURN,
Chairman.

Ordered passed on file.

Senator Dent, from the Committee on Public Libraries, submitted the following report:

MR. PRESIDENT—Your Committee on Public Libraries, to whom was referred Senate file Nor 140, a bill for an act to amend section 1, chapter 18, of the Acts of the Twenty-second General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Cities and Towns.

W. H. DENT,
Chairman.

So referred.

Senator Vale, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 107, a bill for an act to amend sections 1 and 2, of chapter 40, acts of the Twenty-fourth General Assembly, relative to trimming Osage orange hedge fences, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted in lieu thereof, and when so adopted, that the bill do pass.

B. R. VALE,
Chairman.

Substitute ordered printed.

Senator Jamison moved that the special order set for 10:30 o'clock be postponed for twenty minutes.

Carried.

Senator Kilburn moved that the amendments to Senate file No. 60, a bill for an act to repeal sections 181, 183, and 3777, of the Code, and to substitute therefor the following, as reported by Committee on Compensation of Public Officers be concurred in, and that said report be referred to Committee on Judiciary.

Carried, and report referred.

Senate file No. 17, a bill for an act providing salaries for sheriffs and their deputies, was taken up.

Senator Rea offered the following amendment:

Amend section 1, by adding after the word, "sheriffs" in the first line of said section the words "in counties having a population of over 28,000."

Lost.

MESSAGE FROM THE GOVERNOR.

The Governor's private secretary appeared and delivered the following message:

STATE OF IOWA, EXECUTIVE OFFICE, }
DES MOINES, IOWA, February 13, 1894. }

MR. PRESIDENT—I am directed by the Governor to report that he has approved, signed and deposited in the office of the Secretary of State the following bills and joint resolutions:

Senate file No. 15, an act to amend section 1119 of the Code of 1878, with

respect to the publication of the annual reports of the State Horticultural Society.

Senate file No. 82, an act to legalize the ordinances passed by the incorporated town of Templeton, Carroll county, Iowa.

Senate file No. 51, an act to repeal section 6 of chapter 52 of the laws of the Twenty-first General Assembly and enact a substitute in lieu thereof.

Joint Resolution No. 8, *Resolved*, by the General Assembly of the State of Iowa, that the Auditor of State issue warrants for the mileage of members who visited the several state institutions on committees appointed to investigate the same, the several amounts to be reported to him by the Secretary of the Senate and the Clerk of the House.

W. S. RICHARDS,
Private Secretary.

Senator Ellis offered the following amendment:

Amend by striking out the words, "twenty-eight thousand."

Ruled out of order.

The question being, "Shall the rules be suspended and the bill read a third time now?"

Carried.

On the question "Shall the bill pass?" the yeas were:

Senators Bishop, Boardman, Carpenter, Chantry, Cheshire, Craig, Downey, Eaton, Everall, Garst, Harmon, Harper, Harsh, Henderson, Jamison, Jewett, Kelly, Lewis, Oleson, Palmer, Penrose, Perrin, Phelps, Reynolds, Rigger, Upton, Vale, Waterman—28.

The nays were:

Senators Andrews, Baldwin, Brower, Conaway, Dent, Ellis, Gorrell, Green, Groneweg, Hipwell, Hurst, Kilburn, Lehfelddt, Rea, Rowen, Terry, Turner—17.

Absent or not voting:

Senators Finn, Funk, Mattoon, Perry, Yeomans—5.

So the bill passed and the title was agreed to.

Senator Kilburn offered the following explanation of his vote:

I am compelled to vote "No," because, as I understand, as the bill now stands, it increases the compensation of sheriffs in some counties.

The time for the special order having arrived, Joint Resolution No. 4, proposing a change in the constitution of the State of Iowa, relative to suffrage, with report of committee recommending that it be adopted, was taken up.

Senator Jamison moved that the rules be suspended, the joint resolution be considered engrossed, and read a third time now.

MESSAGES FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 15, a bill for an act to amend section 3275 of the Code.

House file No. 19, a bill for an act to legalize the election of trustees and articles of incorporation of Fills cemetery, town of Libertyville.

House file No. 32, a bill for an act to legalize the organization of the independent school district of Avoca, Pottawattamie county, Iowa.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

House file No. 88, a bill for an act to legalize the levy of certain taxes of Plattville township, Mills county, Iowa.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 79, a bill for an act to amend section 2130 of Code of 1873, as amended by section 3, chapter 100, of the acts of the Sixteenth General Assembly, so as to give graders a lien on land or lots graded.

House file No. 116, a bill for an act to amend section 2, chapter 38, of laws of 1882, authorizing cities of second class, having not less than 5,000 inhabitants, to levy a special tax for the creation of a paving fund.

House file No. 150, a bill for an act to amend section 3327, of the Code of 1873, relating to the satisfaction of school fund mortgages.

I. K. WILSON,
Chief Clerk of House.

Senator Lewis yielded the floor to a motion by Senator Jamison that further consideration of Joint Resolution No. 4, be postponed until to-morrow at 10:30 A. M.

Senator Jamison's motion to postpone consideration of Joint Resolution No. 4, carried.

Senator Kelly asked that Senate file No. 151 be taken from the calendar and referred to Committee on Ways and Means.

It was so ordered.

Yesterday's journal was read, corrected and approved.

Senator Craig moved that the Senate do now adjourn until 10 o'clock A. M. to-morrow.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, February 14, 1894. }

Senate met in regular session at 10 o'clock A. M., President Dungan in the chair.

Prayer by Rev. Charles Earnest Freeman, of Spirit Lake, Iowa.

PETITIONS AND MEMORIALS.

Senator Mattoon presented a petition from citizens of Allamakee county, Iowa, asking that women be granted the right to vote.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Dent presented a petition on the same subject, from mothers who are tax-payers, of Cherokee county.

Same reference.

Senator Yeomans presented a petition on the same subject, from 139 tax-paying women of Sioux City.

Same reference.

Senator Rowen presented two petitions on the same subject, from citizens of Iowa.

Same reference.

Senator Harper presented a petition from 62 tax-paying women of Des Moines county, Iowa, on the same subject.

Same reference.

Senator Penrose presented a petition from the Presbyterian Christian Endeavor Society from Garrison, Iowa, protesting against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Perrin presented a resolution, in the nature of a petition, on the same subject, from the citizens of Charles City, Iowa, in mass convention assembled.

Same reference.

Senator Brower presented a memorial from citizens of Pottawattamie county asking for a modification of the prohibitory law.

Same reference.

Senator Mattoon presented a petition from the Knights of Labor

of Lansing, Iowa, asking for the establishment of free employment bureaus.

Referred to Committee on Labor.

Also:

A resolution in the nature of a petition from the same parties asking the passage of Senate file No. 72 and House file No. 145.

Same reference.

Senator Cheshire presented a petition from the Young People's Society of Christian Endeavor of Des Moines, asking for the passage of a law prohibiting the sale of tobacco to minors under sixteen years of age.

Referred to Committee on Public Health.

INTRODUCTION OF BILLS.

By Senator Cheshire, Senate file No. 249, a bill for an act to provide for an additional member of the State Board of Health.

Read first and second times and referred to Committee on Public Health.

By Senator Downey, by request, Senate file No. 250, a bill for an act granting additional powers to cities organized under special charters.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Funk, Senate file No. 251, a bill for an act appropriating funds for the support of the State Fish Commission.

Read first and second times and referred to Committee on Appropriations.

By Senator Green, Senate file No. 252, a bill for an act to provide for the classification of steam boilers and to prescribe a penalty for the violation thereof.

Read first and second times and referred to committee on manufactures.

By Senator Hipwell, by request, Senate file No. 253, a bill for an act for the more speedy detection of crimes.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Penrose, Senate file No. 254, a bill for an act to legalize the action of the school board of the independent district of Belle Plaine, Benton county, Iowa, relating to the levy of school taxes in 1893.

Read first and second times and referred to Committee on Judiciary.

By Senator Green, Senate file No. 255, a bill for an act to repeal sections 6 and 11 of chapter 43 of the laws of the Twenty-third Gen-

eral Assembly of Iowa, in relation to tramps and to enact a substitute therefor.

Read first and second times and referred to Committee on Judiciary.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate asked:

House file No. 80, a bill for an act to regulate the cancellation of mortgages.

House file No. 87, a bill for an act to legalize the levy of certain taxes of Center township, Mills county, Iowa.

House file No. 139, a bill for an act to amend section 1, chapter 16, acts of the Twenty-second General Assembly.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 207, a bill for an act to amend chapter 13, acts of the Twenty-first General Assembly, relating to aiding the construction of highways and bridges over navigable boundary rivers of the State of Iowa.

I. K. WILSON,
Chief Clerk.

Senator Palmer moved the consideration of Joint Resolution No. 4 be postponed for twenty minutes.

Carried.

HOUSE MESSAGES.

House file No. 15, a bill for an act to amend section 3275, chapter 2, title XX of the Code of 1873, was read first and second times and referred to Committee on Judiciary.

House file No. 19, a bill for an act to legalize the election of trustees and articles of incorporation of Fell's cemetery, town of Libertyville, county of Jefferson, State of Iowa, was read first and second times and referred to Committee on Judiciary.

House file No. 32, a bill for an act to legalize the organization Independent School District of Avoca, Pottawattamie county, Iowa, was read first and second times and referred to Committee on Judiciary.

House file No. 88, a bill for an act to legalize the levy of certain taxes of Plattville township, Mills county, Iowa, was read first and second times and referred to Committee on Judiciary.

House file No. 79, a bill to amend section 2130 of the Code of 1873,

as amended by section 3, chapter 100, of the acts of the Sixteenth General Assembly, giving graders a lien upon land or lots whereon their services are performed, was read first and second times and referred to Committee on Cities and Towns.

House file No. 80, a bill for an act to regulate the cancellation of mortgages, was read first and second times and referred to Committee on Judiciary.

House file No. 87, a bill for an act to legalize the levy of certain taxes of Center township, Mills county, Iowa, was read first and second times and referred to Committee on Judiciary.

House file No. 139, a bill for an act to amend section 1, of chapter 16, Acts of the Twenty-second General Assembly, was read first and second times and referred to Committee on Judiciary.

House file No. 150, a bill for an act to amend section 3327 of the Code of 1873, relating to the satisfaction of school fund mortgages, was read first and second times and referred to Committee on Judiciary.

House file No. 16, a bill for an act to amend section 2 of chapter 38, of the laws of 1882, and authorizing cities of the second class having not less than five thousand inhabitants, as shown by the census of 1890, to levy a special tax for the creation of a general paving fund to pay the cost of paving street and alley intersections, was read first and second times and referred to Committee on Cities and Towns.

REPORTS OF COMMITTEES.

Senator Conaway, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred House file No. 135, a bill for an act to prohibit the sale of cigars or tobacco to minors under sixteen years of age, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass. And the committee further recommends that it be substituted for Senate file No. 44, and take its place on the calendar.

A. B. CONAWAY,
Chairman.

So referred.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 199, a bill for an act to amend section 2, chapter 103, acts of the Twentieth General Assembly, relating to barbed wire fences around school houses, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

A. B. CONAWAY,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 93, a bill for an act to provide for the dehorning of all male and vicious female cattle, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

A. B. CONAWAY,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health to whom was referred Senate file No. 201, a bill for an act to amend 3861 of the code as amended by section 1, chapter 114 of the Twenty-first General Assembly, in relation to offenses against life and the person beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

A. B. CONAWAY,
Chairman.

Ordered passed on file.

Senator Turner, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 222, a bill for an act to regulate the writing of Insurance risks, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by inserting in the first line of section 2, between the words "company" and "violating" the word "intentionally" and that when so amended it do pass.

GEORGE A. TURNER,
Chairman.

Ordered passed on file.

Senator Harmon, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 17, a bill for an act to prevent and punish prize fighting, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 89, a bill for an act creating a commission to revise and codify the laws of Iowa, and defining its duties and providing for the publication and distribution of its report, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that section 1 be amended to read as follows:

"SECTION 1. That a commission consisting of five persons learned in the law

three of whom shall have been engaged in actual and continuous practice of law for the ten years last past; two of said commissioners shall be appointed by the House of Representatives, one by the State Senate and two by the Supreme Court, be and is hereby constituted for the purpose of revising and codifying the laws of Iowa, with annotations, and reporting necessary and desirable changes to the Twenty-sixth General Assembly.

That there be inserted after the word "character" in line eleven of section 4, the words "all legalizing acts, and" and by striking out the words "all references to decisions," in line thirteen of section 4, and that when so amended the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 188, a bill for an act to amend section 869, Code of 1873, relating to reports of county treasurer to county auditors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 24, a bill for an act for the protection of poor debtors in supplemental proceedings, and to repeal section 3137 of the code and to enact a substitute therefor, and to amend sections 3141 and 3144, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 184, a bill for an act legalizing the ordinances of the town of West Decorah, Iowa, and all the acts of the officers of said town done thereunder, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by adding to the end of section 2, the words "without expense to the State," and that when so amended the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT.—Your Committee on Judiciary, to whom was referred Senate file No. 193, a bill for an act to legalize the assessment, levy and collection of taxes for library purposes in certain cities of the first class, beg leave to report that they have had the same under consideration and have instructed me to report the

same back to the Senate with the recommendation that the same be amended by striking out section 3, and that when so amended the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Senator Harsh, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred House file No. 77, a bill for an act to amend section 3072 of the Code, providing for the exemption of poultry from attachment and execution, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out of the last line the words "one hundred" and inserting instead the word "fifty," and that as so amended it do pass.

J. B. HARSH,
Chairman.

Ordered passed on file.

Senator Garst, from the Committee on Public Buildings, submitted the following report:

MR. PRESIDENT—Your Committee on Public Buildings, to whom was referred Senate file No. 119, a bill for an act to require the use of fire escapes in certain buildings, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows: After the word "thereof," in the fourth line of section one, insert the words: "In said third or higher stories;" also in the first line of section two, after the word "than," insert the word "five" in lieu of the word "three," and that the bill as amended do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Senator Reynolds, from the Committee on Mines and Mining, submitted the following report:

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred Senate file No. 105, a bill for an act to provide for the payment of wages of workmen employed in mines in the State of Iowa in lawful money of the United States and to protect said workmen in the management and control of their own earnings, beg leave to report that they have had the same under consideration, and have prepared a substitute, and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted in place of the original bill, and when adopted that it do pass.

E. M. REYNOLDS,
Chairman.

Ordered passed on file.

Senator Funk moved that the Senate do now proceed with the special order, being the consideration of Joint Resolution No. 4.

Carried.

Senator Funk in the chair.

Senator Finn moved that when the Senate adjourns it be until 2 o'clock P. M. this afternoon, when the Pioneer Law Makers will be received.

Senator Conaway asked that Senate file No. 201 be re-referred to the Committee on Public Health, so that the author of the bill may be heard.

It was so ordered.

On request of Senator Kilburn, leave of absence was granted Senator Rikken.

Yesterday's journal was read, corrected and approved.

Senator Harmon, from the special committee appointed to invite the Pioneer Law Makers to visit the Senate, reported that the invitation had been given and accepted, and that the Law Makers would be here at 2:30 o'clock this afternoon.

Senator Finn moved that further consideration of the special order be postponed until 10 o'clock A. M. tomorrow.

Lost.

Senator Andrews moved that the Senate do now adjourn until 2 o'clock this afternoon.

Carried.

The Senate adjourned.

AFTERNOON SESSION.

Senate met at 2 o'clock pursuant to adjournment.

President Dungan presiding.

Senator Chantry moved that the special order be deferred for fifteen minutes and that bills on the calendar recommended for indefinite postponement be taken up.

Senator Funk moved to include bills that there is no contest over.

Senator Chantry accepted the amendment and the motion carried.

BILLS ON THIRD READING.

On motion of Senator Turner Senate file No. 124, a bill for an act to regulate the cancellation of mortgages, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Henderson, Senate file No. 134, a bill for an act to prevent the publication, selling or distributing of newspapers or pamphlets containing description of rounds fought at prize fights, with report of committee recommending it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

On motion of Senator Waterman, Senate file No. 165, a bill for an act defining qualification of jurors in cases against municipal corporations, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Jamison, Senate file No. 58, a bill for an act to repeal sections 4413 and 4414 of the Code as amended by chapter 39 of the Twenty-second General Assembly, relating to peremptory challenges of jurors in criminal cases, and enacting a substitute in lieu thereof, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Harper, Senate file No. 13, a bill for an act to amend section 963 of the Code of Iowa, relating to costs in case of appeal in the establishment of highways, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Bishop Senate file No. 20, a bill for an act to prevent monopolies in articles of necessity, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Downey, Senate file No. 111, a bill for an act to require owners of Osage orange or other hedge or willow partition fences to keep the same trimmed, and to regulate the height thereof, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Andrews, Senate file No. 34, a bill for an act to amend section one, article two, of the constitution of the State of Iowa, and to provide for reference and publication, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Conaway, Senate file No. 2, a bill for an act to regulate coal mines, coal miners and operators within the State of Iowa, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Harper, Senate file No. 11, a bill for an act relating to peremptory challenges to jurors in criminal cases, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Funk Senate file No. 68, a bill for an act repealing section 3511 of the code of 1873, and re-enacting the same so as to make the same plain and intelligible, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Jamison. Senate file No. 35, a bill for an act to repeal section 2 of chapter 168 of the Twentieth General Assembly, and substituting the following, relative to the admission of attorneys to practice law in the courts of this State, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

The time for the special order having arrived, Senator Andrews moved that the consideration of bills on calendar be continued.

Carried.

On motion of Senator Vale, Senate file No. 39, a bill for an act making an appropriation for the support of the Iowa Weather and Crop Service, with report of Committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Kilburn, Senate file No. 132, a bill for an act to regulate the compensation of councilmen in cities of the second class, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Henderson, Senate file No. 159, a bill for an act to amend section 1, chapter 11, of the acts of the Twenty-second General Assembly, making powers granted in sections 472, 473, 474 and 475 of the Code of 1873, applicable to establishment of gas works or electric plants and providing the payment of same by issuing bonds, with report of committee recommending it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

On motion of Senator Rea, Senate file No. 72, a bill for an act for protection and safety of employes of railways operated by electricity, and to require such railways to vestibule and enclose the platform of their cars and to provide a penalty for violation thereof, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Turner, Senate file No. 185, a bill for an act

to authorize boards of supervisors to provide for the treatment of drunkenness, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Henderson, Senate file No. 182, a bill for an act to change the time of making the semi-annual apportionment of school fund by the county auditor, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Chantry the Memorial of Boys and Girls National Home and Employment Association of the United States and Canada, relating to school for dependent children, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

The consideration of Joint Resolution No. 4 was resumed.

The special order for the hour being a reception by the Senate of of the Pioneer Law Makers of Iowa.

At 2:50 o'clock the Reception Committee, on the part of the Senate, announced the arrival of the Pioneer Law Makers, who were, by direction of the President, given seats on the floor of the Senate.

Senator Mattoon moved that the seats on the right hand of the chamber be vacated for the Pioneer Law Makers.

Carried.

President Dungan addressed the visitors and extended to them cordial greetings on behalf of the Senate.

Judge Geo. G. Wright, of the Pioneers addressed the Senate and thanked the President for his cordial greeting to them, and introduced Prof. Parvin, of Linn county, who addressed the Senate.

Hon. L. L. Ainsworth, of Fayette county, a member of the Eighth and Ninth General Assemblies, then addressed the Senate.

Senators Brower, Groneweg, Cheshire, Palmer, Harper and Harmon returned the thanks of the Senate to the Pioneer Law Makers for their visit and words of advice.

Ex-Lieut.-Governor Scott, of Story county, addressed the Senate, and on behalf of the Pioneers extended a cordial invitation to the Senate to join them in their deliberations Thursday afternoon at the hall in the Y. M. C. A. building.

Senator Cheshire moved the Senate accept the invitation.

Carried.

Hon. Geo. G. Wright made closing remarks.

The Pioneers then withdrew.

Senator Henderson moved that the Senate do now adjourn until 10 o'clock tomorrow morning.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, February 15, 1894. }

Senate met in regular session at 10 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. J. M. Linn, President of Buena Vista College, Storm Lake.

PETITIONS AND MEMORIALS.

Senator Jewett presented a petition from mothers "who are tax-payers" of Forest City, Winnebago county, Iowa, asking that women be granted the right to vote.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Garst presented a petition on the same subject, from mothers "who are tax-payers," of Jefferson, Greene county.

Same reference.

Senator Rowen presented a petition from non-voters of Belmond, asking that no change be made in the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Also a petition on the same subject, from the Congregational church and Sunday school of Belmond.

Same reference.

Senator Craig presented a petition from Republicans of Bremer county, Iowa, asking a modification of the prohibitory law.

Same reference.

Senator Garst presented a petition from citizens of Grand Junction, Iowa, asking for the passage of a law prohibiting the sale of tobacco to minors under sixteen years of age.

Referred to Committee on Public Health.

Senator Eaton presented a petition from the Christian Endeavor Society of Church of Christ, of Clarinda, Iowa, on the same subject.

Same reference.

Senator Bishop presented a petition from citizens of Sioux county asking for an appropriation of \$25,000 for the State Agricultural Society.

Referred to Committee on Agriculture.

Senator Riggen presented a petition from the board of directors of the independent school district of Brooklyn, Iowa, asking the passage of Senate file No. 21.

Referred to Committee on Educational Institutions.

Senator Vale introduced a petition from J. K. Looker and 360 other citizens of Van Buren and Lee counties, asking certain modification of the fish and game laws of the State.

Referred to Committee on Fish and Game.

INTRODUCTION OF BILLS. ~

By Senator Brower, Senate file No. 256, a bill for an act to require the official publication of the proceedings of the school boards of independent school districts in cities of the first and second class.

Read first and second times and referred to Committee on Printing.

By Senator Brower, Senate file No. 257, a bill for an act to require the official publication of the proceedings of the councils of incorporated cities and towns.

Read first and second times and referred to Committee on Printing.

By Senator Conaway, by request, Senate file No. 258, a bill for an act to amend chapter 54, laws of 1888, relating to weighing of coal at mines.

Read first and second times and referred to Committee on Mines and Mining.

By Senator Funk, Senate File No. 259, a bill for an act to legalize the levy of certain taxes for certain years in Dickinson county, Iowa.

Read first and second times and referred to Committee on Judiciary.

By Senator Terry, Senate file No. 260, a bill for an act authorizing cities organized under special charters to fund their outstanding floating indebtedness and providing for the payment of the same.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Oleson, Senate file No. 261, a bill for an act entitled an act for the relief of Frederick M. Hull, of Webster county, Iowa, and to make an appropriation therefor.

Read first and second times and referred to Committee on Appropriations.

Senator Groneweg introduced the following joint resolution:

JOINT RESOLUTION NO. 11,

Memorial and Joint Resolution relative to the improvement of the Missouri River near Council Bluffs, Iowa.

WHEREAS, The Missouri River is seriously cutting into the banks of the State of Iowa opposite the city of Florence, Nebraska, and

WHEREAS, By reason of said erosion, the stonework put in by the government

to protect the northwest boundary of the city of Council Bluffs, Iowa, has been already damaged, and is in great danger of being totally destroyed unless the river in that vicinity shall be fully protected.

WHEREAS, The business interests and the population centered in the vicinity of Council Bluffs, Iowa, demand that the river at that point shall be confined in a fixed and permanent channel; therefore

Be it Resolved by the General Assembly of the State of Iowa, That our Senators and Representatives in Congress, be and are hereby earnestly requested to use all honorable means to secure an amendment to the bill appropriating money for the improvement of the Missouri River, which shall require that a sufficient amount shall be expended on said river in vicinity of Council Bluffs, Iowa, to protect and render permanent the channel of said river.

Resolved further, That the Secretary of State be and is hereby instructed to forthwith transmit a copy hereof to each Senator and Representative from Iowa.

Read first and second times.

Senator Groneweg moved that the rules be suspended and the joint resolution read a third time now.

Carried.

Senator Groneweg moved that the reading just finished be considered the third reading.

Carried.

On the question, "Shall the joint resolution pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Everall, Funk, Garst, Gorrell, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jewett, Kelly, Lehfeltdt, Lewis, Oleson, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman, Yeomans—41.

The nays were:

None.

Absent or not voting:

Senators Brower, Carpenter, Ellis, Finn, Green, Jamison Kilburn, Mattoon, Perry—9.

So the joint resolution passed and the title was agreed to.

MESSAGES FROM THE HOUSE.

The following message was received from the House.

MR. PRESIDENT—I am directed to inform your honorable body that the House has substituted and passed the following bill in which the concurrence of the Senate is asked:

Senate file No. 12, a bill for an act to authorize certain cities of the first class to purchase and condemn land for street purposes within said cities, when said streets cross ravines, or where it is necessary to widen the street to construct embankments.

Also that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 131, a bill for an act to legalize a certain ordinance of the city of Winterset.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

House file No. 35, a bill for an act fixing the time in which action may be brought on contracts of insurance, amending chapter 211 of the Eighteenth General Assembly.

House file No. 107, a bill for an act to amend section 515 of the Code, giving additional police force to incorporated towns.

House file No. 132, a bill for an act to provide for the payment of delinquent taxes by lien holders.

I. K. WILSON,
Chief Clerk.

Senator Harmon introduced the following resolution and moved its adoption:

Resolved by the Senate, That Governor Jackson be invited to join the General Assembly to visit the Pioneer Law Makers' Association this afternoon.

Resolution adopted.

HOUSE MESSAGES.

House substitute for Senate file No. 12, a bill for an act to authorize certain cities of the first class to purchase and condemn land for street purposes within said cities, when said streets cross ravines or when it is necessary to widen the street to construct embankments, was read first and second times and referred to Committee on Cities and Towns.

House file No. 132, a bill for an act to provide for the payment of taxes by lien holders, was read first and second times and referred to Committee on Judiciary.

House file No. 126, a bill for an act legalizing ordinances of cities and towns, was read first and second times and referred to Committee on Cities and Towns.

House file No. 107, a bill for an act to amend section 515 of the Code, giving additional police force to incorporated towns, read first and second times and referred to Committee on Cities and towns.

House file No. 35, a bill for an act fixing the time in which action may be brought on contracts of insurance, amending chapter 211 of the Eighteenth General Assembly, read first and second times and referred to Committee on Insurance.

Senator Penrose moved that the special order, being the consideration of Joint Resolution No. 4, be postponed for twenty minutes.

Carried.

Senator Brower asked that 500 extra copies of Senate file No. 3 be printed.

It was so ordered.

REPORTS OF COMMITTEES.

Senator Rea, from the Committee on Fish and Game, submitted the following report:

MR. PRESIDENT—Your Committee on Fish and Game, to whom was referred Senate file No. 191, a bill for an act to amend chapter one hundred and fifty-six (156), laws of the Seventeenth General Assembly, relative to the protection of game, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. M. REA,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Fish and Game, to whom was referred Senate file No. 8, a bill for an act to prevent the destruction of food fishes and to prohibit the use of seines, explosives and other devices, except hook and line and bait nets, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. M. REA,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Fish and Game, to whom was referred Senate file No. 189, a bill for an act to amend sections 2 and 3, chapter 34, acts of Twenty-third General Assembly, relative to catching fish, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. M. REA,
Chairman.

Ordered passed on file.

Senator Carpenter, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 59, a bill for an act to provide for the furnishing of free text-books for the pupils of the public schools of the State of Iowa, beg leave to report that they have had the same under consideration and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking out the word "shall" in the second line of section 1 and inserting the word "may" in lieu thereof; also to insert after the words, "independent district" in the third line of section 1 the following: "To be paid for

from the contingent fund of said district, township or independent district," and when the same is so amended it do pass.

C. A. CARPENTER,
Chairman.

Ordered passed on file.

Senator Lewis, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 21, a bill for an act in regard to the instruction of common school teachers in normal and high schools, with instructions to report the same back to the Senate before February 14, 1894, beg leave to report that they have had the same under consideration and have instructed me to report to the Senate asking further time for its consideration.

L. W. LEWIS,
Chairman.

Ordered passed on file

Senator Craig, from the Committee on Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred Senate file No. 195, a bill for an act to provide that telegraph companies transacting business in cities containing a population of not less than ten thousand (10,000) shall keep their offices open during all hours, both night and day, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the house with the recommendation that it do pass.

GEO. M. CRAIG,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred Senate file No. 90, a bill for an act declaring express companies or corporations common carriers, and providing for their government and control, and empowering the board of railroad commissioners of the State of Iowa to regulate and fix charges made by said companies or corporations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

GEO. M. CRAIG,
Chairman.

Ordered passed on file.

Senator Gorrell, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 138, a bill for an act to reimburse John L. Brown as Auditor of State during the years 1885 and 1886 for money expended in defense of his said office, and of his official rights and duties, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the following amendments: Strike out all in the third line after the figures "1886." Strike out of the fifth line the words "five thousand six hundred and eighty dollars (\$5,680)," and insert

in lieu thereof the words "four thousand dollars (\$4,000)," recommend that when so amended that the bill do pass.

J. R. GORRELL,
Chairman.

Ordered passed on file.

Pending a motion of Senator Bishop to direct the Committee on Appropriations to make report on Senate file No. 21 not later than February 16th, the time arrived for the special order, the consideration of Joint Resolution No. 4 was resumed.

Senator Harsh moved that hereafter speeches on Joint Resolution No. 4 be limited to fifteen minutes.

Senator Carpenter moved to amend by making it ten minutes.

Amendment accepted.

Lost.

On request of Senator Palmer, Senator Green was granted leave of absence for balance of the week.

Yesterday's journal was read, corrected and approved.

Senator Finn moved that the Senate do now adjourn until 10 o'clock A. M. to-morrow.

Senator Kelly moved to amend by making adjournment to 9 o'clock A. M. to-morrow.

Carried.

The Senate adjourned.

At three o'clock the Senate, accompanied by the Governor of the State, proceeded to the convention of the Pioneer Law-Makers Association and were received by that body. The Governor, Lieutenant-Governor, Senator Vale and Representative Chassell responded to words of welcome.

SENATE CHAMBER,
DES MOINES, Friday, February 16, 1894. }

Senate met in regular session at 9 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. H. M. Burr of Idaho.

Senator Kilburn moved that the consideration of the special order be postponed until 10 o'clock.

Carried.

PETITIONS AND MEMORIALS.

Senator Oleson presented a petition from citizens of Calhoun county asking for an appropriation of \$25,000 for the State Agricultural Society.

Referred to Committee on Agriculture.

Also:

A petition from citizens of Calhoun county, protesting against the passage of Senate file No. 85.

Referred to Committee on Fish and Game.

Senator Craig presented a petition from N. A. Reeves, of Waverly, Iowa, in relation to horticulture.

Senator Kilburn presented a petition from citizens of Winterset in relation to Senate file No. 229.

Referred to Committee on Ways and Means.

The Secretary of the Senate read a petition from the Lincoln Christian Endeavor Society of Lincoln township asking the passage of a bill prohibiting the sale of tobacco to minors under sixteen years of age.

Referred to Committee on Public Health.

Also:

A petition on the same subject from the Junior Christian Endeavor Society, Gilmore City, Iowa.

Same reference.

Senator Garst presented a petition from the Presbyterian Christian Endeavor Society, of Manning, Iowa, on same subject.

Same reference.

Senator Lehfelddt presented a petition from voters of Woodbine, Iowa, asking the ballot for women.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Chantry presented a petition asking for the pardon of Joseph McCrary.

Referred to Committee on Penitentiaries and Pardons.

INTRODUCTION OF BILLS.

By Senator Terry, Senate file No. 262, a bill for an act authorizing the city councils of cities organized and existing under special charters, to submit amendments to such charters to a vote of the electors at regular city elections.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Waterman, Senate file No. 263, a bill for an act to amend section 4 of chapter 47 of the acts of the Sixteenth General Assembly, as amended by sections 4 and 5, of chapter 169 of the acts of the Seventeenth General Assembly, relating to the extension of city or town limits, and the taxation of, or levying of special assessments upon farm, agricultural or acre property within such city or town limits, for the improvement of streets and highways, and the construction of sewers.

Read first and second times and referred to Committee on Judiciary.

On motion of Senator Funk, leave of absence was granted Senator Upton on account of sickness.

The following pairs were announced on Joint Resolution No. 4:

Senator Upton with Senator Harper; Senator Rowen with Senator Green.

Senator Carpenter, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 55, a bill for an act repealing section 1802, Code of 1873, as amended by chapter 27, Fifteenth General Assembly, chapter 113, Seventeenth General Assembly, and chapter 143, Eighteenth General Assembly, and section 1808, as amended by section 2, chapter 7, Eighteenth General Assembly, relating to the election of a president in independent school districts and to enact a substitute in lieu thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that House file No. 106 be substituted for this bill and that when so substituted that the bill do pass.

C. A. CARPENTER,
Chairman.

Ordered passed on file.

Senator Bishop asked consent to withdraw his motion of yesterday,

that the Appropriation Committee be given until Monday next to report on Senate file No. 21.

Granted.

Senator Bishop moved that the rules be suspended, the bill considered engrossed and Senate file No. 21, a bill for an act in regard to the professional instruction of common school teachers in normal and high schools, be read a third time now.

Senator Harsh moved that the Appropriations Committee be given until March 5th to report on the bill.

Senator Andrews moved as an amendment that the Appropriations Committee be instructed to report back Senate file No. 21 this time without recommendation.

Pending the question, the time for the special order having arrived the consideration of Joint Resolution No. 4 was resumed.

Senator Harsh in the chair.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following joint resolution in which the concurrence of the House was asked:

Relative to the improvement of the Missouri river near Council Bluffs.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 137, a bill for an act for the preservation of Chinese and English pheasants.

Joint Resolution No. 10, relative to the better preservation of the colors, standards and battle-flags carried by Iowa regiments and batteries in the War of the Rebellion.

Also the following Concurrent Resolution relative to procuring 10,000 copies of the railroad commissioners' official map for distribution by members of the General Assembly.

I. K. WILSON,
Chief Clerk.

President Dungan in the chair.

Senator Jamison moved that further consideration of Joint Resolution No. 4 be postponed until Tuesday next at 10:30 o'clock A. M.

Senator Kelly moved to amend by making the time 2:30 o'clock this afternoon.

Senator Jamison accepted the amendment, which carried.

Yesterday's journal was read, corrected and approved.

Senator Rea moved that the Senate do now adjourn until 2:30 o'clock this afternoon.

Carried.

The Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2:30 o'clock, President Dungan presiding.

Consideration of special order being Joint Resolution No. 4, was resumed.

Senator Carpenter moved that when adjournment is taken the Senate adjourn until Tuesday, February 20, at 10 A. M.

The yeas and nays were called.

On the motion to adjourn to next Tuesday, the yeas were:

Senators Bishop, Brower, Carpenter, Cheshire, Downey, Ellis, Everall, Gorrell, Harmon, Hipwell, Jamison, Jewett, Kelly, Mattoon, Oleson, Perrin, Phelps, Rea, Rowen, Terry, Turner, Yeomans—22.

The nays were:

Senators Andrews, Baldwin, Boardman, Chantry, Conaway, Craig, Funk, Garst, Groneweg, Harsh, Henderson, Kilburn, Lewis, Palmer, Penrose, Reynolds, Rikken, Vale, Waterman—19.

Absent or not voting:

Senators Dent, Eaton, Finn, Green, Harper, Hurst, Lehfeldt, Perry, Upton—9.

On request of Senator Waterman, Senator Lehfeldt was granted leave of absence until Wednesday next.

On request of Senator Kelly Senator Dent was granted leave of absence until next Thursday.

Senator Jamison moved that further consideration of the joint resolution be postponed until 10:30 o'clock Wednesday morning next, and that at that time a vote shall be taken upon the resolution.

Carried.

Senator Phelps moved that the vote by which the Senate agreed to adjourn until next Tuesday be reconsidered.

Senator Yeomans moved that the Senate do now adjourn.

Upon this the yeas and nays were demanded.

On the question, "Shall the Senate adjourn?" the yeas were:

Senators Bishop, Brower, Carpenter, Downey, Ellis, Finn, Groneweg, Hipwell, Jamison, Jewett, Kelly, Mattoon, Oleson, Perrin, Rea, Rowen, Turner, Yeomans—18.

The nays were:

Senators Andrews, Baldwin, Boardman, Chantry, Cheshire, Conway, Craig, Eaton, Funk, Garst, Harmon, Harsh, Henderson, Kilburn, Lewis, Palmer, Penrose, Phelps, Rigger, Vale, Waterman—21.

Absent or not voting:

Senators Dent, Everall, Gorrell, Green, Harper, Hurst, Lehfeldt, Perry, Reynolds, Terry, Upton—11.

So the Senate refused to adjourn.

The question being on the reconsideration of the vote by which the Senate agreed to adjourn until Tuesday, the yeas were:

Senators Andrews, Baldwin, Boardman, Chantry, Cheshire, Conway, Craig, Eaton, Finn, Funk, Garst, Harsh, Henderson, Kilburn, Lewis, Palmer, Penrose, Phelps, Reynolds, Rigger, Turner, Vale, Waterman—23.

The nays were:

Senators Bishop, Brower, Carpenter, Downey, Ellis, Everall, Groneweg, Harmon, Hipwell, Jamison, Jewett, Kelly, Mattoon, Oleson, Perrin, Rea, Rowen, Turner, Yeomans—18.

Absent or not voting:

Senators Dent, Gorrell, Green, Harper, Hurst, Lehfeldt, Perry, Terry, Upton—9.

So the motion to reconsider carried.

The question being, "Shall the Senate adjourn until next Tuesday at 10:30 o'clock A. M.?" the yeas were:

Senators Bishop, Brower, Carpenter, Downey, Ellis, Groneweg, Mattoon, Oleson, Perrin, Rea, Yeomans—11.

The nays were:

Senators Andrews, Baldwin, Boardman, Chantry, Cheshire, Conway, Craig, Eaton, Everall, Finn, Funk, Garst, Harmon, Harsh, Henderson, Hipwell, Jamison, Jewett, Kelly, Kilburn, Lewis, Palmer, Penrose, Phelps, Reynolds, Rigger, Rowen, Turner, Vale, Waterman—30.

Absent or not voting:

Senators Dent, Gorrell, Green, Harper, Hurst, Lehfeldt, Perry, Terry, Upton—9.

So the Senate refused to adjourn until Tuesday.

Senator Andrews moved that when the Senate adjourns it be until 10 o'clock A. M. to-morrow.

Senator Bishop moved to amend by making the adjournment until 2 o'clock P. M. Monday.

Senator Kelly moved to amend the amendment by making the adjournment until 8 o'clock A. M. to-morrow.

Senators Andrews and Bishop accepted Senator Kelly's amendment to the amendment.

Pending the motion of Senator Bishop, Senator Yeomans moved that the Senate do now adjourn.

Ruled out of order.

Upon the question, "Shall the Senate when it adjourns, adjourn until 8 o'clock A. M. to-morrow?" the yeas were:

Senators Andrews, Baldwin, Boardman, Brower, Carpenter, Cheshire, Conaway, Craig, Eaton, Ellis, Everall, Finn, Funk, Garst, Groneweg, Harmon, Harsh, Henderson, Hipwell, Jamison, Jewett, Kelly, Lewis, Mattoon, Oleson, Palmer, Reynolds, Rigger, Rowen, Turner, Vale, Yeomans—32.

The nays were:

Senators Bishop, Chantry, Downey, Kilburn, Penrose, Phelps, Rea, Waterman—8.

Absent or not voting:

Senators Dent, Gorrell, Green, Harper, Hurst, Lehfeltdt, Perrin, Perry, Terry, Upton—10.

So the motion carried.

Senators Jewett, Gorrell, Perrin, Ellis, Terry, Phelps and Hurst were granted leaves of absence until next Tuesday, and Senator Rea until Thursday.

Senator Yeomans moved that the Senate do now adjourn.

Lost.

Senator Funk moved that the Senate do now adjourn.

Upon this the yeas and nays were demanded.

On the question, "Shall the Senate adjourn?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Conaway, Craig, Eaton, Ellis, Finn, Funk, Garst, Groneweg, Harmon, Harsh, Henderson, Jamison, Jewett, Kelly, Kilburn, Lewis, Mattoon, Palmer, Phelps, Reynolds, Rigger, Turner, Vale, Yeomans—29.

The nays were:

Senators Cheshire, Downey, Hipwell, Penrose, Rea, Rowen, Waterman—7.

Absent or not voting:

Senators Brower, Chantry, Dent, Everall, Gorrell, Green, Harper, Hurst, Lehfeltdt, Oleson, Perrin, Perry, Terry, Upton—14.

So the Senate agreed to adjourn.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, Saturday, February 17, 1894. }

Senate met in regular session at 9 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. A. A. Dohlberg, of Des Moines.

PETITIONS AND MEMORIALS.

Senator Carpenter presented a petition from non-voters of Louisa county protesting against repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Rowen presented a petition on the same subject from 200 Sunday school scholars of Belmond, Iowa.

Same reference.

Senator Palmer presented a petition from the faculty of Iowa Wesleyan University, Mt. Pleasant, Iowa, on the same subject.

Same reference.

Senator Phelps presented a petition from citizens of the city of Atlantic, Iowa, asking for the passage of Senate file No. 229.

Referred to Committee on Ways and Means.

Senator Conaway presented a petition from 1,000 women of Mahaska county, Iowa, asking that women be granted the right to vote.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Rowen presented a petition from the Christian Endeavor Society of Honey Creek, Iowa, asking for the passage of a law prohibiting the sale of tobacco to minors under sixteen years of age.

Referred to Committee on Public Health.

Senator Baldwin presented a petition on the same subject from the Christian Endeavor Society of Dubuque.

Same reference.

Senator Kelly moved that the Senate do now adjourn until Tuesday next at 2:30 o'clock P. M.

Senator Harsh moved to adjourn for ten minutes.

Ruled out of order.

Senator Lewis moved a call of the Senate.

Carried.

On roll call those present were:

Senators Andrews, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Eaton, Ellis, Everall, Finn, Funk, Garst, Groneweg, Harmon, Harsh, Henderson, Jamison, Kelly, Kilburn, Lewis, Mattoon, Palmer, Penrose, Phelps, Reynolds, Rikken, Rowen, Vale, Waterman, Yeomans—31.

Those absent were:

Senators Baldwin, Brower, Craig, Dent, Downey, Gorrell, Greene, Harper, Hipwell, Hurst, Jewett, Lehfelddt, Oleson, Perrin, Perry, Rea, Terry, Turner, Upton—19.

There being a quorum present, on motion of Senator Lewis further proceedings under the call were dispensed with.

Senator Oleson was granted leave of absence.

The motion of Senator Kelly that the Senate do now adjourn until next Tuesday at 2:30 P. M. was taken up.

Upon this the yeas and nays were demanded.

On the question, "Shall the Senate adjourn until next Tuesday at 2:30 o'clock P. M.?" the yeas were:

None: .

The nays were:

Senators Andrews, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Downey, Eaton, Everall, Finn, Funk, Garst, Groneweg, Harmon, Harsh, Henderson, Jamison, Kelly, Kilburn, Lewis, Mattoon, Palmer, Penrose, Phelps, Reynolds, Rikken, Rowen, Vale, Waterman, Yeomans—31.

Absent or not voting:

Senators Baldwin, Brower, Craig, Dent, Ellis, Gorrell, Green, Harper, Hipwell, Hurst, Jewett, Lehfelddt, Oleson, Perrin, Perry, Rea, Terry, Turner, Upton—19.

So the Senate refused to adjourn.

Senator Kelly offered the following resolution and moved its adoption:

Resolved, That hereafter no member of the Senate shall speak more than ten minutes nor more than once upon the same question, and no Senator shall speak more than once nor longer than five minutes upon each amendment. *Provided*, That the Senator in charge of a bill or resolution shall be allowed an additional ten minutes to close the debate.

Objection being made, the resolution was laid over under the rule.

INTRODUCTION OF BILLS.

By Senator Waterman, Senate file No. 264, a bill for an act to amend section 1, chapter 194, of the laws of the Twentieth General Assembly, relative to taxes assessed against merchants on stocks of goods, and provide a lien thereon as against owners and purchasers in bulk.

Read first and second times and referred to Committee on Ways and Means.

By Senator Downey, Senate file No. 265, a bill for an act to authorize the warden of the penitentiary at Ft. Madison, Iowa, to use a portion of the visitors' fund for 'bus hire.

Read first and second times and referred to Committee on Charitable Institutions.

By Senator Rea, Senate file No. 266, a bill for an act to legalize the acts and ordinances of the incorporated town of Reinbeck, Grundy county, Iowa.

Read first and second times and referred to Committee on Judiciary.

By Senator Harmon, Senate file No. 267, a bill for an act to legalize the official acts of J. C. Myers as mayor of the incorporated town of Fairbank, Buchanan county, Iowa.

Read first and second times and referred to Committee on Judiciary

By Senator Ellis, Senate file No. 268, a bill for an act to legalize the acts and proceedings of the city of Clinton, Iowa.

Read first and second times and referred to Committee on Judiciary.

By Judiciary Committee, Senate file No. 269, a bill for an act amending section 3055 of Code, relating to the giving of notice of ownership in case of levy under execution.

Read first and second times and placed on calendar.

HOUSE MESSAGES.

House file No. 137, a bill for an act for the preservation of Chinese and English pheasants, was read first and second times and referred to Committee on Fish and Game.

House Joint Resolution No. 10, relative to the better preservation of the colors, standards and battle-flags carried by Iowa regiments and batteries in the War of the Rebellion, was read first and second times and referred to Committee on Military.

HOUSE CONCURRENT RESOLUTION RELATIVE TO PROCURING 10,000 COPIES OF THE RAILROAD COMMISSIONERS' OFFICIAL MAP FOR DISTRIBUTION BY MEMBERS OF THE GENERAL ASSEMBLY.

Resolved by the House, the Senate concurring, That the Railroad Commissioners are hereby directed to procure 10,000 copies of the Railroad Commissioners official map of Iowa, and suitable envelopes to mail them in,

at the earliest practicable dates, and to furnish for distribution forty copies to each member of the General Assembly.

Senator Greneweg moved that the Senate concur in the resolution.
Carried.

REPORTS OF STANDING COMMITTEES.

Senator Harmon, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 87, a bill for an act to legalize the levy of certain taxes of Center township, Mills county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by adding at the end of section 2 the words, "without expense to the State." and that when so amended the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 141, a bill for an act to amend section twenty-six hundred forty-eight of the Code of this State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
- Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 88, a bill for an act to legalize the levy of certain taxes of Plattville township, Mills county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be amended by adding at the end of section 2 the words "without expense to the State" and that when so amended the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 82, a bill for an act to legalize the organization of independent school district of Avoca, Pottawattamie county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking out the enacting clause where found at the head of the petition or preamble and inserting the same just before section 1.

That the words "without expense to the State" be added to the end of section 3, and when so amended the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 80, a bill for an act to regulate the cancellation of mortgages, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 231, a bill for an act to remove a cloud from the title to certain land for the relief of Dudley W. Adams, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be amended by adding at the end of section 2 the words, "without expense to the State," and that when so amended the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 150, a bill for an act to amend section 3327 of the Code of 1873 relating to the satisfaction of school fund mortgages, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate file No. 82, a bill for an act for relief of Richard J. Walmsley, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed. Senators Andrews and Perrin dissenting.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 34, a bill for an act to indemnify officers serving executions, and to amend chapter 45 of the Twentieth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the substitute be read the first and

second times by its title, be placed on file, with the recommendation that said substitute do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Senator Lewis, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 245, a bill for an act to amend chapter 13, title 22 of the Code, in relation to the State library, as amended by chapter 19 of the acts of the Thirteenth General Assembly, and chapter 191 of the Twentieth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out "\$6,000.00," where it occurs in the second line of section 1, and inserting in lieu thereof the words "five thousand dollars," and when so amended that it do pass.

L. W. LEWIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Adpropiations, to whom was referred Senate file No. 21, a bill for an act in regard to the professional instruction of common school teachers in normal and high schools, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the following recommendation, that until the General Assembly shall pass a bill for an increase of the State levy now provided by law, your committee are unanimously of the opinion that this bill, which appropriates \$80,000 could not become a law without incurring a State debt, therefore the committee has directed me to report the bill without recommendation.

L. W. LEWIS,
Chairman.

Ordered passed on file.

Senator H. C. Boardman, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate file No. 62, a bill for an act authorizing the board of supervisors of Marshal county, Iowa, to locate a highway over lands owned by the State, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Public Lands.

H. C. BOARDMAN,
Chairman.

Senator Boardman moved that the reference asked by the committee be granted.

Carried.

Senator Phelps, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Senate File No. 14, an act to repeal chapter sixty-two (62) of the acts of the Twenty-fourth General Assembly and to provide for the publication and distribution of the report of the Iowa Academy of Sciences.

Also Joint Resolution No. 3, memorial and joint resolution relating to the construction of a canal from the Mississippi river, to the State of Illinois

Also Joint Resolution No. 7, joint resolution and memorial of congress relating to a bill to limit the effect of the regulation of commerce between the several states and with foreign countries in certain cases.

Also Senate file No. 207, an act to amend chapter 13, acts of the Twenty-first General Assembly relating to aiding the construction of highways and bridges over navigable boundary rivers of the State of Iowa.

Also Senate file No. 131, an act to make valid chapter 21 of the revisal ordinances of 1885 of the city of Winterset.

JULIAN PHELPS,
Chairman.

Senator Conaway, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 160, a bill for an act to establish a State board of embalming, to provide for the better protection of life and health, to prevent the spread of contagious disease, and to regulate the practice of embalming and the care and disposition of the dead, beg leave to report that they have had the same under consideration; they have made the following amendments, and have instructed me to report the same back to the Senate with the recommendation that the words "and the care and disposition of the dead," be stricken from the title of the bill, and that the same words be stricken from the body of the bill wherever they occur in any of the sections; that all of section 8 after the word "embalming" in the third line be stricken out; section 9, line two, after the word "or," insert the word "to;" after the word "physician" in the same line, insert the following: "Who may be called upon to do embalming or;" after the word "dead" in line four, strike out words "in individual cases;" after the word "person" in line four, strike out the word "shall," and all of line five; strike out of line eight after the word "not," all of said line, and all of line nine to the word "practice." And when so amended that the bill pass. They further recommend that the bill be printed as amended.

A. B. CONAWAY,
Chairman.

So ordered.

Senator Brower, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred Senate file No. 163, a bill for an act defining the power of railroad companies with reference to the securities of other companies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

N. V. BROWER,
Chairman.

Ordered passed on file.

Also:

MR. SPEAKER—Your Committee on Railroads, to whom was referred Senate

file No. 148, a bill for an act authorizing railway corporations to mortgage their property for certain purposes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

N. V. BROWER,
Chairman.

Ordered passed on file.

Substitute for Senate file No. 269, a bill for an act amending section 3055 of the Code, relating to the giving of notice of ownership in case of levy under execution, was read first and second times and ordered printed.

Senator Waterman moved a consideration of Senator Ellis' resolution to reconsider vote by which Senate file No. 4, a bill for an act limiting the compensation of justices of the peace, passed the Senate.

Carried.

Senator Ellis asked leave to withdraw his motion in reference to Senate file No. 4.

Granted.

Senator Bishop moved that Senate file No. 21, a bill for an act in regard to the professional instruction of common school teachers in normal and high schools, be laid over until 10:30 o'clock Tuesday morning, and retain its place on the calendar.

Carried.

BILLS ON THIRD READING.

On motion of Senator Mattoon, Senate file No. 231, a bill for an act to remove a cloud from the title to certain land for the relief of Dudley W. Adams, with report of committee recommending amendments, and that as amended the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Mattoon moved that the rules be suspended, the bill considered engrossed, and read a third time now.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Carpenter, Chantry, Cheshire, Conaway, Craig, Downey, Eaton, Ellis, Everall, Funk, Garst, Grone-
weg, Harmon, Harsh, Henderson, Kelly, Kilburn, Lewis, Mattoon,
Palmer, Penrose, Phelps, Reynolds, Rigger, Vale, Waterman
Yeomans—30.

The nays were:

None.

Absent or not voting:

Senators Boardman, Brower, Dent, Finn, Gorrell, Green, Harper,
Hipwell, Hurst, Jamison, Jewett, Lehfelddt, Oleson, Perrin, Perry, Rea,
Rowen, Terry, Turner, Upton—20.

So the bill passed and the title was agreed to.

Senator Andrews asked that Senate file No. 100 be passed and retain its place on the calendar.

It was so ordered.

On motion of Senator Conaway, Senate file No. 44, a bill for an act to license manufacturers and wholesale and retail dealers of cigarettes and prohibit the sale to all minors under sixteen years of age, and to provide a penalty for the violation thereof, with report of committee recommending that House file No. 135 be substituted for this bill and that the substitute do pass, was taken up, considered, and the report of the committee was adopted.

Senator Conaway asked that the report of the committee be read.

Report read.

Senator Conaway moved that the rules be suspended and the substitute read a third time now.

Carried.

Senator Andrews moved that the reading just finished be considered a third reading.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Downey, Eaton, Ellis, Finn, Funk, Harmon, Harsh, Henderson, Jamison, Kilburn, Lewis, Mattoon, Palmer, Penrose, Phelps, Reynolds, Rigger, Rowen, Upton, Vale, Waterman—31.

The nays were:

Senators Everall, Garst, Hipwell—3.

Absent or not voting:

Senators Dent, Gorrell, Green, Groneweg, Harper, Hurst, Jewett, Kelly, Lehfelddt, Oleson, Perrin, Perry, Rea, Terry, Turner, Yeomans—16.

So the bill passed and the title was agreed to.

On motion of Senator Lewis, Senate file No. 197, a bill for an act to amend section 466 of the Code of 1873, relative to the construction of sewers in incorporated towns, with report of committee recommending amendments, and when so amended that the same do pass was taken up, considered, and the report of the committee was adopted.

Senator Lewis moved that the bill be engrossed and read a third time to-morrow.

On the question, "Shall the bill be engrossed?" the yeas were:

Senators Boardman, Carpenter, Chantry, Cheshire, Conaway, Funk, Garst, Harmon, Harsh, Lewis, Palmer, Penrose, Reynolds, Upton, Vale, Yeomans—16.

The nays were:

Senators Baldwin, Bishop, Brower, Craig, Downey, Eaton, Finn, Groneweg, Henderson, Kilburn—11.

Absent or not voting:

Senators Andrews, Dent, Ellis, Everall, Gorrell, Green, Harper, Hipwell, Hurst, Jewett, Kelly, Lehfeltdt, Mattoon, Oleson, Perrin, Perry, Phelps, Rea, Rigger, Rowen, Terry, Turner, Waterman—23.

So the bill was ordered engrossed.

MESSAGE FROM THE GOVERNOR.

The Governor's private secretary appeared and delivered the following message:

STATE OF IOWA, EXECUTIVE OFFICE, }
DES MOINES, IOWA, February 17, 1894. }

MR. PRESIDENT—I am directed by the Governor to transmit to your honorable body notice of appointment of certain officers.

W. S. RICHARDS,
Private Secretary.

Senator Kelly in the chair.

On motion of Senator Funk, Senate file No. 189, a bill for an act to amend section 2 and 3, chapter 34, acts of the Twenty-third General Assembly, relative to the catching of fish, with report of committee recommending it do pass was taken up for consideration.

Senator Funk moved the bill be engrossed and read a third time Monday.

Carried.

On the question, "Shall the bill be engrossed?" the yeas were:

Senators Baldwin, Boardman, Chantry, Cheshire, Conaway, Funk, Garst, Groneweg, Harmon, Harsh, Henderson, Jamison, Kilburn, Lewis, Palmer, Penrose, Phelps, Reynolds, Rowen, Upton, Vale, Waterman, Yeomans—23.

The nays were:

Mr. Carpenter—1.

Absent or not voting:

Messrs. Andrews, Bishop, Brower, Craig, Dent, Downey, Eaton, Ellis, Everall, Finn, Gorrell, Green, Harper, Hipwell, Hurst, Jewett, Kelly, Lehfeltdt, Mattoon, Oleson, Perrin, Perry, Rea, Rigger, Terry, Turner—26.

So the bill was ordered engrossed.

On motion of Senator Boardman, Senate file No. 129, a bill for an act to amend chapter 44 of the acts of the Twenty-fourth General Assembly, in relation to warehouse receipts, making the same to apply to butter, eggs, cheese and dressed poultry, was taken up for consideration.

Senator Boardman moved that the bill be engrossed and read a third time Monday.

Carried.

On motion of Senator Eaton Senate file No. 113, a bill for an act to legalize the ordinances and resolutions of the incorporated town of Imogene, Fremont county, Iowa, with report of committee recommending amendments and when amended that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Eaton moved that the rules be suspended, the bill be considered engrossed and read a third time now.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Groneweg, Harmon, Harsh, Henderson, Hipwell, Jamison, Kilburn, Lewis, Mattoon, Palmer, Penrose, Phelps, Reynolds, Rigger, Rowen, Upton, Vale, Waterman, Yeomans—36.

The nays were:

None.

Absent or not voting:

Senators Dent, Gorrell, Green, Harper, Hurst, Jewett, Kelly, Lehfeltdt, Oleson, Perrin, Perry, Rea, Terry, Turner—14.

So the bill passed and the title was agreed to.

On motion of Senator Garst, Senate file No. 117, a bill for an act to legalize the levy of taxes for 1893 in Carroll county, Iowa, with report of committee recommending amendments, and when so amended that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Garst moved that the rules be suspended, the bill be considered engrossed and read a third time now.

Carried.

On the question "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Groneweg, Harmon, Harsh, Henderson, Hipwell, Jamison, Kilburn, Lewis, Palmer, Penrose, Phelps, Reynolds, Rigger, Rowen, Upton, Vale, Waterman, Yeomans—35.

The nays were:

None.

Absent or not voting:

Senators Dent, Gorrell, Green, Harper, Hurst, Jewett, Kelly, Lehfeltdt, Mattoon, Oleson, Perrin, Perry, Rea, Terry, Turner—15.

On motion of Senator Bishop, Senate file No. 172, a bill for an act

to provide for the distribution of public documents, with report of committee recommending it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Bishop moved that the rules be suspended, the bill considered engrossed and read a third time now.

Carried.

On the question "Shall the bill pass?" the yeas were:

Senators Andrews, Bishop, Boardman, Chantry, Cheshire, Conaway, Craig, Downey, Ellis, Everall, Funk, Garst, Harmon, Hipwell, Jamison, Mattoon, Reynolds, Rigger, Rowen, Upton, Vale, Waterman, Yeomans—23.

The nays were:

Senators Baldwin, Carpenter, Eaton, Finn, Groneweg, Harsh, Henderson, Kilburn, Lewis, Penrose, Phelps—11.

Absent or not voting:

Senators Brower, Dent, Gorrell, Green, Harper, Hurst, Jewett, Kelly, Lehfeltdt, Oleson, Palmer, Perriu, Perry, Rea, Terry, Turner—16.

So the bill having failed to receive a constitutional majority was declared lost.

Senator Funk asked leave to reconsider the vote by which Senate file No. 189 was passed for engrossment, for the purpose of amending the bill.

Leave granted and motion filed.

President Dungan in the chair.

On motion of Senator Andrews Senate file No. 126, a bill for an act to amend section 894 Code of 1873, laws of Iowa, with report of committee recommending it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Andrews moved that the rules be suspended, the bill considered engrossed and read a third time.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Boardman, Carpenter, Cheshire, Conaway, Craig, Downey, Eaton, Ellis, Finn, Funk, Garst, Harmon, Harsh, Henderson, Jamison, Kilburn, Mattoon, Palmer, Penrose, Phelps, Reynolds, Rigger, Upton, Vale, Waterman—27.

The nays were:

Senators Groneweg, Kelly, Lewis, Yeomans—4.

Absent or not voting:

Senators Bishop, Brower, Chantry, Dent, Everall, Gorrell, Green, Harper, Hipwell, Hurst, Jewett, Lehfeltdt, Oleson, Perrin, Perry, Rea, Rowen, Terry, Turner—19.

So the bill passed and the title was agreed to.

On motion of Senator Upton, Senate file No. 184, a bill for an act to legalize the ordinances of the incorporated town of West Decorah, Iowa, with report of committee recommending amendments, and when so amended that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Upton moved that the rules be suspended, the bill considered engrossed, and read a third time now.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Groneweg, Harmon, Harsh, Henderson, Hipwell, Jamison, Kelly, Kilburn, Lewis, Mattoon, Palmer, Penrose, Phelps, Reynolds, Rikken, Rowen, Upton, Vale, Waterman—36.

The nays were:

None.

Absent or not voting:

Senators Dent, Gorrell, Green, Harper, Hurst, Jewett, Lehfeldt, Perrin, Perry, Rea, Terry, Turner, Yeomans—14.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House file No. 108, a bill for an act creating a commission to revise the laws of Iowa, and defining its duties and providing for the publication and distribution of its report.

Also Joint Resolution No. 7, relative to conveying back into the State treasury unexpended funds appropriated by the Twenty-third General Assembly for the support of the Fish Commission.

I. K. WILSON,
Chief Clerk.

Yesterday's journal was read, corrected and approved.

Senator Rikken asked that 200 extra copies of Senate file No. 246 be printed.

It was so ordered.

Senator Waterman moved that 200 extra copies of Senate file No. 96 be printed.

It was so ordered.

Senator Reynolds was granted leave of absence until Tuesday next.

Senator Craig was granted leave of absence until Wednesday next

The Governor's private secretary appeared and presented a

MESSAGE FROM THE GOVERNOR.

STATE OF IOWA,
EXECUTIVE OFFICE, DES MOINES, Feb. 17, 1894. }

MR. PRESIDENT—I am instructed by the Governor to inform you that he has approved, signed, and deposited with the Secretary of State the following bills, joint resolutions and memorials:

Senate file No. 207, an act to amend chapter 13, acts of the Twenty-first General Assembly, relating to aiding the construction of highway bridges over navigable boundary rivers of the State of Iowa.

Senate file No. 14, an act to repeal chapter 62 of the acts of the Twenty-fourth General Assembly, and to provide for the publication and distribution of the report of the Iowa Academy of Sciences.

Senate file No. 131, an act to make valid chapter 21 of the revised ordinances of 1885 of the city of Winterset.

Joint Resolution No. 3, memorial and joint resolution relative to the construction of a canal from the Mississippi river to the Illinois river at Hennepin, in the State of Illinois.

Joint Resolution No. 7, joint resolution and memorial of Congress relative to a bill to limit the effect of the regulation of commerce between the several states and with foreign countries in certain cases.

W. S. RICHARDS,
Private Secretary.

Senator Kelly moved that the Senate do now go into executive session.

Carried.

The Senate went into executive session at 10:30 o'clock.

The Senate arose from executive session at 10:45 o'clock.

Senator Waterman moved that the Senate do now adjourn until 10 o'clock A. M., Monday, February 19, 1894.

Senator Bishop moved to amend by making the adjournment until 2 o'clock P. M., Monday, February 19, 1894.

Senator Waterman accepted the amendment, which carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Monday, February 19, 1894. }

Senate met pursuant to adjournment at 2 o'clock P. M., and was called to order by President Dungan.

Prayer was offered by Rev. Clinton Douglas, Des Moines.

PETITIONS AND MEMORIALS.

Senator Kelly presented a petition from Henry Jones and twenty-two other citizens of Iowa county, asking for an appropriation of \$25,000 for the State Agricultural Society.

Referred to Committee on Agriculture.

Senator Boardman presented two petitions from citizens of Story county, Iowa, on same subject.

Same reference.

Senator Finn presented a petition on the same subject from the citizens of Taylor county, Iowa.

Same reference.

Senator Upton presented a petition from citizens of Decorah, Iowa, on the same subject.

Same reference.

Senator Vale presented a petition on the same subject from H. H. Disbrow and twenty-seven others of Van Buren county, Iowa.

Same reference.

Senator Chantry presented a communication from the treasurer of Mills county relative to changes in the revenue law.

Referred to Committee on Ways and Means.

Senator Andrews presented a petition from H. A. Hoyt and one hundred and thirty-three other citizens of Dallas county, asking that the question of woman suffrage be submitted to the people.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Finn presented a petition on the same subject from 6,000 voters of Iowa.

Same reference.

Senator Harper presented petition from residents of Des Moines county, asking the passage of the bill raising the age of consent.

Referred to the Committee on Judiciary.

Senators Everall, Henderson, Harsh and Perry were granted leave of absence until Tuesday and Senator Funk indefinitely.

INTRODUCTION OF BILLS.

By Senator Boardman, Senate file No. 270, a bill for an act prescribing the manner of mortgaging or encumbering exempt personal property.

Read first and second times and referred to Committee on Judiciary.

By Senator Brower, Senate file No. 271, a bill for an act to amend section 307 of the Code of 1873, as amended by section 2, chapter 197, Twentieth General Assembly, and section 2, chapter 86, Twenty-first General Assembly.

Read first and second times and referred to Committee on Printing.

By Senator Cheshire, Senate file No. 272, a bill for an act to provide for process in case of information filed against a corporation, and for the service of the same.

Read first and second times and referred to Committee on Judiciary.

By Senator Cheshire, Senate file No. 273, a bill for an act amending section 471 of the Code of 1873, as amended by chapters 11 and 26 of the acts of the Twenty-second General Assembly.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Cheshire, Senate file No. 274, a bill for an act appropriating money to defray the expenses of the inauguration ceremonies.

Read first and second times, rules suspended, read a third time, and passed the Senate, yeas 29, nays 0.

By Senator Conaway, by request, Senate file No. 275, a bill for an act to prevent blindness, and for the care of infants affected with diseases of the eyes, and to provide a penalty for the violation thereof.

Read first and second times and referred to Committee on Public Health.

By Senator Jamison, Senate file No. 276, a bill for an act to amend section 4715 of the Code of 1873, relative to the payment of costs in bastardy cases.

Read first and second times and referred to Committee on Judiciary.

Senator Cheshire moved the immediate consideration of Senate file No. 274, a bill for an act appropriating money to defray the expenses of the inaugural ceremonies.

Carried.

Senator Cheshire moved that the rules be suspended and the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Chantry,

Cheshire, Conaway, Downey, Eaton, Finn, Garst, Gorrell, Groneweg, Harper, Hipwell, Jamison, Kelly, Kilburn, Lewis, Mattoon, Palmer, Penrose, Rigger, Rowen, Turner, Upton, Vale, Waterman—29.

The nays were:

None.

Absent or not voting.

Senators Carpenter, Craig, Dent, Ellis, Everall, Funk, Green, Harmon, Harsh, Henderson, Hurst, Jewett, Lehfeltdt, Oleson, Perrin, Perry, Phelps, Rea, Reynolds, Terry, Yeomans—21.

So the bill passed and the title was agreed to.

Senator Brower moved that the report of the special committee appointed to locate site of the soldiers' and sailors' monument be referred to Committee on Military.

Carried.

HOUSE MESSAGES.

House file No. 108, a bill for an act creating a commission to revise the laws of Iowa, and defining its duties and providing for the publication and distribution of its report, was read first and second times and referred to Committee on Judiciary.

House Joint Resolution No. 7, relative to conveying back into the State treasury unexpended funds appropriated by the Twenty-third General Assembly for the support of the Fish Commission, was read first and second times and referred to Committee on Fish and Game.

REPORTS OF COMMITTEES.

Senator Vale, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 135, a bill for an act making an appropriation for the Iowa State Agricultural Society, for the encouragement of agriculture, horticulture, manufactures, and other industries of the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass; and that the bill, together with the petitions thereto belonging be re-referred to the Committee on Appropriations.

B. R. VALE,
Chairman.

So referred.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 121, a bill for an act to repeal Chapter 28, acts of the Twenty-fourth General Assembly, and enact a substitute therefor, in relation to farmers' institutes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

B. R. VALE,
Chairman.

[Ordered passed on file.]

Senator Reynolds, from the Committee on Mines and Mining, submitted the following report:

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred Senate file No. 149, a bill for an act to provide for miners' oil inspection and maintain the purity thereof, beg leave to report that they have had the same under consideration and have prepared a substitute, and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted in place of the original bill and when so adopted that it do pass.

E. M. REYNOLDS,
Chairman.

Ordered passed on file.

Senator Kelly, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills, respectfully report that they have examined Senate file No. 129, a bill for an act to amend chapter 44 of the acts of the Twenty-fourth General Assembly, in relation to warehouse receipts, making the same apply to butter, eggs, cheese and dressed poultry and find the same correctly engrossed.

M. J. KELLY,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate file No. 197, a bill for an act to amend section 466 of the Code of 1873, relative to the construction of sewers in incorporated towns, and find the same correctly engrossed.

M. J. KELLY,
Chairman.

Senator Brower, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 127, a bill for an act to protect persons and property from grade crossings of one railroad over another, or over swing or draw bridges, and at junction points, by providing for safety devices thereat, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that a substitute be enacted therefor and that the substitute do pass.

N. V. BROWER,
Chairman.

Ordered passed on file.

Senator Vale, for Senator Reynolds, asked that two hundred copies of the substitute for Senate file No. 149 be printed.

It was so ordered.

On motion of Senator Boardman, Senate file No. 129, a bill for an act to amend chapter 44 of the acts of the Twenty-fourth General Assembly, in relation to warehouse receipts, making the same apply

to butter, eggs, cheese and dressed poultry, with report of committee recommending it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Boardman moved that the rules be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Chantry, Cheshire, Conaway, Downey, Eaton, Finn, Garst, Gorrell, Groneweg, Harper, Hipwell, Jamison, Kelly, Kilburn, Lewis, Mattoon, Palmer, Penrose, Rikken, Turner, Upton, Vale, Waterman—28.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Craig, Dent, Ellis, Everall, Funk, Green, Harmon, Harsh, Henderson, Hurst, Jewett, Lehfeldt, Oleson, Perrin, Perry, Phelps, Rea, Reynolds, Rowen, Terry, Yeomans—22.

So the bill passed and the title was agreed to.

Senator Cheshire asked leave to file a motion to reconsider the vote by which Senate file No. 274 passed the Senate.

Leave granted and motion filed.

On motion of Senator Cheshire Senate file No. 64, a bill for an act to apply the provisions of chapter 78, laws of the Twenty-first General Assembly as amended by chapter 17, laws of the Twenty-second General Assembly, and chapter 15, laws of the Twenty-fourth General Assembly relating to indebtedness of cities and towns, with report of Committee amendments and when amended that the same do pass, was taken up, considered, and the report of the Committee was adopted.

Senator Cheshire moved that the rule be suspended, the bill be engrossed and read a third time to-morrow.

Carried.

On motion of Senator Harper, Senate file No. 118, a bill for an act amending section 4440 of the Code of Iowa, in reference to instructions to juries, with report of committee recommending amendments, and when so amended that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Harper moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Bishop, Boardman, Brower, Chantry, Cheshire, Conaway, Downey, Eaton, Finn, Garst, Gorrell, Groneweg, Harper,

Hipwell, Jamison, Kelly, Kilburn, Lewis, Mattoon, Palmer, Penrose, Rigger, Turner, Upton, Vale, Waterman—28.

The nays were:

None.

Absent or not voting:

Senators Baldwin, Carpenter, Craig, Dent, Ellis, Everall, Funk, Green, Harmon, Harsh, Henderson, Hurst, Jewett, Lelfeldt, Oleson, Perrin, Perry, Phelps, Rea, Reynolds, Rowen Terry, Yeomans—22.

So the bill passed and the title was agreed to.

On motion of Senator Palmer, Senate file No. 104, a bill for an act requiring the United States flag to be placed upon all school houses or school grounds of the State of Iowa, with report of committee recommending amendments and when amended that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Palmer moved that the rule be suspended and the bill be considered engrossed and read a third time to-morrow.

Carried.

On motion of Senator Cheshire, Senate file No. 42, a bill for an act to amend sections 289 and 290 of the Code of 1873, as amended by chapter 16 of the laws of the Twenty-fourth General Assembly of the State of Iowa, relating to bonding of county indebtedness, with report of committee recommending it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Cheshire moved that the rule be suspended, and the bill be engrossed and read a third time to-morrow.

Carried.

On motion of Senator Jamison Senate file No. 71, a bill for an act to repeal section 18 of chapter 33, of the laws of the Twenty-fourth General Assembly, relative to posting sample ballots five days prior to election, and enacting a substitute in lieu thereof, with report of committee recommending it do pass, was taken up considered, and the report of the committee was adopted.

Senator Jamison moved that the rule be suspended, and the resolution be considered engrossed and read a third time now, which motion prevailed, and the resolution was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Chantry, Cheshire, Conaway, Downey, Finn, Garst, Gorrell, Groneweg, Harper, Hipwell, Jamison, Kelly, Kilburn, Lewis, Mattoon, Palmer, Penrose, Rigger, Rowen, Turner, Upton, Vale, Waterman—28.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Craig, Dent, Eaton, Ellis, Everall, Funk, Green, Harmon, Harsh, Henderson, Hurst, Jewett, Lehfeldt, Oleson, Perrin, Perry, Phelps, Rea, Reynolds, Terry, Yeomans—22.

So the bill passed and the title was agreed to.

On motion of Senator Turner, Senate file No. 74, a bill for an act to amend chapter 105, acts of the Twenty-second General Assembly, allowing compensation for the Soldiers' Relief Commission, with report of committee recommending a substitute, was taken up, considered, and the report of the committee was adopted.

Senator Turner moved that the rule be suspended, and the substitute be considered engrossed and read a third time now, which motion prevailed.

Senator Turner moved that the vote by which the substitute for Senate file No. 74 was ordered to a third reading be reconsidered.

Carried.

Senator Turner moved that the substitute be engrossed and read a third time to-morrow.

Senator Kilburn moved that the substitute be amended by striking out the words, "soldiers' relief," and inserting in lieu thereof the word "county."

Lost.

On the question, "Shall the substitute be engrossed and read a third time tomorrow?" the yeas were:

Senators Baldwin, Chantry, Cheshire, Downey, Eaton, Jamison, Mattoon, Rigger, Turner, Vale—10.

The nays were:

Senators Bishop, Brower, Conaway, Garst, Gorrell, Groneweg, Harper, Hipwell, Kelly, Lewis, Palmer, Penrose, Upton—13.

Absent or not voting:

Senators Andrews, Boardman, Carpenter, Craig, Dent, Ellis, Everall, Finn, Funk, Green, Harmon, Harsh, Henderson, Hurst, Jewett, Kilburn, Lehfeldt, Oleson, Perrin, Perry, Phelps, Rea, Reynolds, Rowen, Terry, Waterman, Yeomans—27.

So the Senate refused to order the substitute engrossed.

On motion of Senator Upton, House file No. 53, a bill for an act to amend section 6, chapter 2, title 1 of the Code, changing the law for the convening of the General Assembly on the first day of the session, with report of committee recommending it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Upton moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Chantry, Cheshire, Conaway, Downey, Eaton, Finn, Garst, Gorrell, Groneweg, Harper, Hipwell, Jamison, Kelly, Kilburn, Lewis, Palmer, Penrose, Rigger, Turner, Upton, Vale, Waterman—26.

The nays were:

None.

Absent or not voting:

Senators Brower, Carpenter, Craig, Dent, Ellis, Eyerall, Funk, Green, Harmon, Harsh, Henderson, Hurst, Jewett, Lehfelddt, Mattoon, Oleson, Perrin, Perry, Phelps, Rea, Reynolds, Rowen, Terry, Yeomans—24.

So the bill passed and the title was agreed to.

On motion of Senator Cheshire, Senate file No. 179, a bill for an act to amend section three (3), of chapter one hundred and thirty-four (134), of the acts of the Twenty-first General Assembly, and to increase the number of the district judges in the Ninth judicial district, with report of committee recommending it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Cheshire moved that the rule be suspended, and the bill be considered engrossed and read a third time to-morrow.

Carried.

On motion of Senator Cheshire, Senate file No. 43, a bill for an act to amend section 1, chapter 16, laws of the Twenty-second General Assembly, and granting additional powers to certain cities, with report of committee recommending it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Cheshire moved that the rule be suspended, and the bill be considered engrossed and read a third time to-morrow.

Carried.

On motion of Senator Rowen, Senate file No. 147, a bill for an act to amend chapter one, title nine of the Code of Iowa, and to more particularly define the manner of creating corporations for pecuniary profit and to fix the liability of stockholders and to fix the compensation to be paid the State for such franchise, with report of committee recommending amendments, and when amended that it do pass, was taken up and considered.

Senator Rowen moved that the amendments recommended by the committee be concurred in.

Senator Penrose offered the following amendment to the amended bill.

SEC. 7. Each and every corporation hereafter so incorporated, shall pay to the State of Iowa for its franchise at the time its articles of incorporation are filed

with the Secretary of State, a fee of twenty-five dollars on its authorized capital of any amount not more than ten thousand dollars, and fifty dollars on said authorized capital of over ten thousand dollars and less than twenty-five thousand dollars, and one hundred dollars on said authorized capital of over twenty-five thousand dollars.

Senator Lewis moved that the bill be referred to the Committee on Ways and Means.

Carried.

Saturday's journal was read, corrected and approved.

Senator Finn moved that the Senate do now adjourn until 10 o'clock A. M. to-morrow:

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, February 20, 1894 }

Senate met in regular session at 10 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. G. C. Henry, of Des Moines.

PETITIONS AND MEMORIALS.

Senator Perry presented a petition from citizens of Monroe county, asking for an appropriation of \$25,000 for the State Agricultural Society.

Referred to Committee on Agriculture.

Senator Perry presented a petition from citizens of Marion county, on same subject.

Same reference.

Senator Carpenter presented two petitions from citizens of Louisa county protesting against repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Downey presented a petition from citizens of Franklin township, Lee county, Iowa, relative to prohibitory law.

Same reference.

Senator Harper presented a petition from the Presbyterian Christian Endeavor Society of Kossuth, Iowa, asking for the passage of a law prohibiting the sale of tobacco to minors under sixteen years of age.

Referred to Committee on Public Health.

Senator Kelly presented a petition on the same subject from S. K. Stevenson and fifty-four other members of the Christian Endeavor Society of Iowa City.

Same reference.

Senator Boardman presented a petition from Ensland Post G. A. R., No. 234, Cambridge, Iowa, petitioning that military instruction be made a part of the common school systems.

Referred to Committee on Schools.

Senator Kilburn presented a petition of H. Runyon and others asking the passage of Senate file No. 229, relating to the taxing of peddlers.

Referred to the Committee on Ways and Means.

Senator Harper presented a petition from residents of Des Moines county asking for the passage of a law to raise age of consent to eighteen years.

Referred to Committee on Judiciary.

Senator Bishop presented a petition from Eva S. Gilchrist, asking that right of suffrage be granted her.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Harsh presented resolutions passed by citizens of Creston in mass convention, asking modification of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

INTRODUCTION OF BILLS.

By Senator Harper, Senate file No. 277, a bill for an act to amend section 2178 of the Code in relation to sale of property by carriers and others for charges.

Read first and second times and referred to Committee on Railroads.

By Senator Harper, by request, Senate file No. 278, a bill for an act requiring husbands and fathers to support their families.

Read first and second times and referred to Committee on Judiciary.

Senator Conaway offered the following resolution:

WHEREAS, A resolution passed this Senate giving the Sergeant-at-arms a page, and,

WHEREAS, Said page was appointed and has been on duty continuously ever since, and,

WHEREAS, Sickness prevented the Sergeant-at-arms from reporting the name of said page to the secretary of the Senate, therefore be it

Resolved, That the name of Fred Shafer be placed upon the roll of pages and that his pay commence from same date.

Laid over until to-morrow.

Senator Chantry offered the following resolution and moved its adoption.

Resolved, that on and after Monday, February 26th, the morning session of the Senate shall commence at nine o'clock.

Adopted.

Senator Andrews offered the following resolution and moved its adoption.

Resolved, That it is the sense of the Senate that there be no session during Thursday, February 22, 1894.

Adopted.

REPORTS OF STANDING COMMITTEES.

Senator Chantry, from the Committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred Senate file No. 67, a bill for an act to amend section 2308 of the Code of 1873, and provide for the adoption of children, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

A. J. CHANTRY,
Chairman.

Ordered passed on file

Senator Kelly, from Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate file No. 43, a bill for an act to amend section one (1), chapter 16, laws of the Twenty-second General Assembly and granting additional powers to certain cities.

Also Senate file No. 64, a bill for an act to apply to cities of the first-class the provisions of chapter 78, laws of the Twenty-first General Assembly, as amended by chapter seventeen (17), laws of the Twenty-second General Assembly and chapter fifteen (15), laws of the Twenty-fourth General Assembly, and find the same are correctly engrossed.

M. J. KELLY.
Chairman.

Also:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate file No. 179, a bill for an act to amend section three (3) of chapter 134 of the acts of the Twenty-first General Assembly, and to increase the number of the district judges in the Ninth Judicial district.

Also Senate File No. 42, a bill for an act to amend sections 289 and 290, of the Code of 1873, as amended by chapter 16, of the laws of the Twenty-fourth General Assembly of the State of Iowa, relating to the bonding of county indebtedness.

Also Senate file No. 104, a bill for an act requiring the United States flag to be placed upon all school houses or school grounds of the State of Iowa.

And find the same are all correctly engrossed.

M. J. KELLY,
Chairman.

BILLS ON THIRD READING.

Senator Reynolds in the chair.

On motion of Senator Andrews, House joint resolution No. 4, relating to service pensions, with report of committee recommending a substitute therefor and that when such substitute is adopted, that it do pass, was taken up, and read first and second times.

Senator Perry offered the following amendment:

Provided, That the benefits contemplated by these resolutions shall not apply in favor of any soldier or sailor who is possessed of means consisting of money or property amply sufficient for the support of himself and family.

Lost.

Senator Andrews moved to concur in the committee report.

Carried.

On the question, "Shall Joint Resolution No. 4 pass?" the yeas were:

Senators Andrews, Baldwin, Boardman, Carpenter, Chantry, Cheshire, Conaway, Downey, Eaton, Everall, Gorrell, Groneweg, Harmon, Harper, Harsh, Henderson, Hurst, Jamison, Jewett, Kelly, Kilburn, Lewis, Oleson, Palmer, Penrose, Perrin, Phelps, Reynolds, Rigger, Rowen, Turner, Upton, Vale—33.

The nays were: None.

Absent or not voting:

Senators Bishop, Brower, Craig, Dent, Ellis, Finn, Funk, Garst, Green, Hipwell, Lehfeltdt, Mattoon, Perry, Rea, Terry, Waterman, Yeomans—17.

So the joint resolution passed and the title was agreed to.

President Dungan in the chair.

On motion of Senator Palmer, Senate file No. 104, a bill for an act requiring the United States flag to be placed upon all school grounds of the State of Iowa was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Boardman, Carpenter, Chantry, Cheshire, Conaway, Downey, Eaton, Everall, Garst, Gorrell, Harmon, Harper, Harsh, Henderson, Hurst, Jamison, Jewett, Kilburn, Lewis, Palmer, Penrose, Perrin, Phelps, Reynolds, Rigger, Rowen, Turner, Upton, Vale, Waterman—31.

The nays were:

Senator Perry—1.

Absent or not voting:

Senators Bishop, Brower, Craig, Dent, Ellis, Finn, Funk, Green, Groneweg, Hipwell, Kelly, Lehfeltdt, Mattoon, Oleson, Rea, Terry Yeomans—18.

So the bill passed and the title was agreed to.

On motion of Senator Cheshire, Senate file No. 179, a bill for an act to amend section three (3) of chapter one hundred and thirty-four (134) of the acts of the Twenty-first General Assembly, and to increase the number of the district judges in the Ninth judicial district, was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Boardman, Carpenter, Chantry, Cheshire, Conaway, Downey, Eaton, Finn, Garst, Harmon, Harper, Henderson, Hipwell, Jamison, Jewett, Kelly, Kilburn, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rigger, Rowen, Terry, Turner, Upton, Vale—32.

The nays were:

None.

Absent or not voting:

Senators Bishop, Brower, Craig, Dent, Ellis, Everall, Funk, Gorrell, Green, Groneweg, Harsh, Hurst, Lehfeldt, Mattoon, Rea, Reynolds, Waterman, Yeomans—18.

So the bill passed and the title was agreed to.

On motion of Senator Finn, Senate file No. 83, a bill for an act to define and punish the crime of desertion, with report of committee recommending amendments, and when so amended that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Carpenter offered the following amendment:

Amend Senate file No. 83 by adding thereto the following:

"Section 2. If any woman, without good cause, abandon or desert her husband, and shall refuse or neglect to provide for such husband, she shall be liable to the same penalties, and the same rule of evidence shall be applicable."

By common consent further consideration of the bill was postponed, and the bill will retain its place on the calendar.

On motion of Senator Harmon Senate file No. 88, a bill for an act to amend section 2120 of the Code of Iowa, with report of committee recommending it do pass, was taken up and considered.

Senator Harmon offered the following amendments:

Amend section 1, by adding after the word "claims," in the fourth line of the printed bill, "when peculiar circumstances entitle the claimant to equitable relief."

Strike out the words "from time to time," and the words "one year," from section one, and insert in lieu of "one year" the words "nine months."

Amend section 2, by striking out the word "daily" in the publication clause.

Carried.

Senator Harmon moved that the rules be suspended, the bill be considered engrossed and read a third time now.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Eaton, Everall, Finn, Garst, Gorrell, Groneweg, Harmon, Harper, Henderson, Hurst, Jewett, Kelly, Kilburn, Lewis, Mattoon, Oleson, Penrose, Perrin, Perry, Phelps, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman.—37.

The nays were:

None.

Absent or not voting:

Senators Craig, Dent, Downey, Ellis, Funk, Green, Harsh, Hipwell, Jamison, Lehfelddt, Palmer, Rea, Yeomans—13.

So the bill passed and the title was agreed to.

Senator Carpenter asked leave to file a motion to reconsider the vote by which Senate file No. 104 passed the Senate.

Leave granted and motion filed.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 154, a bill for an act to amend section 2120 of the Code of Iowa.

House file No. 180, a bill for an act to legalize the extension and enlargement of the incorporate limits of the city of Pella, Iowa.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT.—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

House file No. 9, a bill for an act for the relief of the grantees of Antoine Klein, and for the purpose of having a patent issued in his name for a certain tract of land.

House file No. 118, a bill for an act to legalize the incorporation of the Associated Norwegian Evangelical Lutheran Congregation in Worth county, Iowa, and in the Southern part of Freeborn county, Minnesota.

House file No. 158, a bill for an act to legalize the acts of the board of directors of the independent school district of Avoca, Iowa, in the levying of taxes for school purposes.

I. K. WILSON,
Chief Clerk.

Yesterday's journal was read, corrected and approved.

Senator Finn asked leave to file a motion to reconsider the vote by which Senate file No. 197 was ordered engrossed.

Leave granted and motion filed.

Senator Kelly moved that the Senate do now adjourn until 10 o'clock A. M. to-morrow.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, February 21, 1894. }

Senate met in regular session at 10 o'clock A. M., and was called to order by President *pro tem.* Finn.

Prayer was offered by Rev. T. S. Oadams, of Keosauqua, Iowa.

PETITIONS AND MEMORIALS.

Senator Yeomans presented a petition from citizens of Woodbury county, asking for an appropriation of \$25,000 for the State Agricultural Society.

Referred to Committee on Agriculture.

Senator Carpenter presented a petition from citizens of Louisa county, on the same subject.

Same reference.

Senator Bishop presented a petition from citizens of Sioux county, Iowa, asking for the passage of a law prohibiting the sale of tobacco to minors under sixteen years of age.

Referred to Committee on Public Health.

Also:

A petition on the same subject from the Epworth League of Lester, Iowa.

Same reference.

Senator Jewett presented a petition on the same subject from Keystone League and Christian Endeavor Society of Manly, Iowa.

Same reference.

Also:

A petition from Epworth League of Osage, Iowa, on the same subject.

Same reference.

Senator Penrose presented three petitions from citizens of Tama county protesting against repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Turner presented two petitions from L. Beatrice Servis and others of Albion, Iowa, on same subject.

Same reference.

Senator Palmer presented a petition from four hundred citizens and ladies of Henry county, asking for woman suffrage.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Kelly presented a petition on the same subject from one hundred and forty ladies of Johnson county.

Same reference.

Senator Bishop presented a petition on the same subject from citizens of Ireton, Sioux county, Iowa.

Same reference.

Also:

A petition from residents of Ireton, Sioux county, asking the passage of the bill raising the age of consent.

Same reference.

Senator Harper presented a memorial from the Charity Organization Society of Burlington, Iowa, requesting passage of a law establishing a State board of charities.

Referred to Committee on Ways and Means.

Also:

Resolutions from Mathias Post No. 5, G. A. R., favoring the soldiers' exemption clause of the Harsh revenue law and suggesting changes.

Same reference.

Senator Rowen presented a petition from Junction City Lodge No. 211, Brotherhood of Locomotive Engineers, and Division No. 104, Order of Railway Conductors, of Eagle Grove, Iowa, in favor of the bill to prevent oppressive garnishments and the transferring of claims for the purpose of depriving debtors of their exemption rights.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Craig, by request, Senate file No. 279, a bill for an act limiting the time in which an action may be brought on an insurance policy, and providing that insurance companies shall give the assured notice of pleading such limitations.

Read first and second times and referred to Committee on Insurance.

By Senator Ellis, Senate file No. 280, a bill for an act to amend section 1 of chapter 40 of the acts of the Twenty-second General Assembly.

Read first and second times and referred to Committee on Judiciary.

By Senator Garst, Senate file No. 281, a bill for an act to amend

section 1606 of the Code of Iowa, by enlarging the powers of the board of trustees of the State Agricultural College and farm.

Read first and second times and referred to Committee on Judiciary.

By Senator Groneweg, Senate file No. 282, a bill for an act to protect county bridges against stock driven over the same.

Read first and second times and referred to Committee on Highways.

By Senator Harper, Senate file No. 283, a bill for an act to establish a State Board of Charities.

Read first and second times and referred to Committee on Ways and Means.

By Senator Kilburn, Senate file No. 284, a bill for an act to legalize the incorporation of St. Charles (Madison county) and all acts of its council passed since said town was incorporated.

Read first and second times and referred to Committee on Judiciary.

Senator Harmon in the chair.

By Senator Reynolds, by request, Senate file No. 285, a bill for an act relating to the licensing of plumbers and the supervision of the business of plumbing.

Read first and second times and referred to Committee on Public Health.

By Senator Conaway, Senate file No. 286, a bill for an act to amend section 1, chapter 5, Acts of the Twenty-fourth General Assembly, in relation to the protection of the public health.

Read first and second times and referred to Committee on Public Health.

By Senator Perry, Senate file No. 287, a bill for an act to provide for the liability of operators of coal mines, the negligence of agents and other employes in certain cases.

Read first and second times and referred to Committee on Mines and Mining.

President Dungan in the chair.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked.

House file No. 174, a bill for an act to amend section 3832 of the Code, in relation to the publication of legal notices.

House file No. 273, a bill for an act to pay the expenses of A. W. Richardson contestee in the contested election case from Jackson county.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 231, a bill for an act to remove a cloud from the title to certain land for the relief of Dudley W. Adams.

I. K. WILSON,
Chief Clerk.

Senators Upton and Dent were granted leaves of absence.

Senator Conaway asked leave to withdraw his resolution of yesterday relative to the sergeant-at-arms' page.

Leave granted and resolution withdrawn.

Senator Conaway offered the following resolution:

Resolved, That the name of Fred Shafer be placed upon the roll of pages, to be under the direction of the sergeant-at-arms, and as he has been continuously on duty, that his pay for services commence with the date of other pages.

Laid over under the rule.

HOUSE MESSAGES.

House file No. 174, a bill for an act to amend section 3832 of the Code, in relation to the publication of legal notices, was read first and second times and referred to Committee on Judiciary.

House file No. 273, a bill for an act to pay the expenses of A. W. Richardson, contestee in the contested election case from Jackson county, was read first and second times and referred to Committee on Judiciary.

The time for the special order, being the vote on Joint Resolution No. 4, having arrived, Senator Finn moved that the vote be postponed one week.

Upon this the yeas and nays were demanded.

On the question, "Shall the vote on the joint resolution be postponed?" the yeas were:

Messrs. Andrews, Baldwin, Boardman, Brower, Chantry, Cheshire, Conaway, Craig, Eaton, Everall, Finn, Harmon, Henderson, Jamison, Jewett, Kelly, Kilburn, Lewis, Mattoon, Penrose, Perry, Phelps, Reynolds, Rigger, Rowen, Waterman, Yeomans—27.

The nays were:

Messrs. Bishop, Carpenter, Downey, Ellis, Garst, Gorrell, Green, Groneweg, Harper, Harsh, Hipwell, Hurst, Lehfeldt, Palmer, Terry, Turner, Vale—17.

Absent or not voting:

Messrs. Dent, Funk, Oleson, Perrin, Rea, Upton—6.

So the vote on Joint Resolution No. 4 was postponed one week.

Senator Perry offered the following explanation of his vote:

MR. PRESIDENT—While I am opposed to the principle of woman suffrage, its friends on this floor should be given the right to control the consideration of the resolutions. They desire a postponement for one week and I know of no reason why their wish should not be granted. As I was not present during the discussion prior to engrossment, I shall ask leave at the proper time to be heard upon the merits of the resolutions. I vote "Yea."

REPORTS OF COMMITTEES.

Senator Harmon, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 1, a bill for an act to legalize the levy and taxes levied by the board of supervisors of Pottawattamie county, for the years 1888, 1889, 1890, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by adding at the end of line 4 of section 1, the following words:

"Provided however that nothing in this act shall be construed to affect in any manner any such taxes concerning which there is any litigation pending in any of the courts of this State or for the refund or repayment of which any claim has been filed with the county auditor of said county."

Also that the same be indefinitely postponed.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 194, a bill for an act to amend section 461 of the Code of Iowa, in reference to the establishment and maintenance of free public libraries, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that section 1 be amended to read as follows:

"Section 1. That section 461 of the Code of Iowa be and the same is hereby amended, by adding the words "assess and levy a tax, and" after the word "may" in the fourth line of said section, and also the words "of the tax assessed and levied" after the word "amount" in the eighth line of said section. Also by striking out the word "appropriated" in the eighth line of said section."

Also that the words "Iowa State" shall be stricken out of line 3, of section 2, and the word "Des Moines" inserted in lieu thereof, and that when so amended the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 267, a bill for an act to legalize the official acts of J. C. Myers as mayor of the incorporated town of Fairbank, Iowa, beg leave to report that they have had

the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 69, a bill for an act to amend section 4012 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 70, a bill for an act to legalize the acts of the council of the incorporated town of Coon Rapids, Carroll county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 211, a bill for an act to amend section 6, chapter 65, acts of the Twenty-first General Assembly, relative to the powers and duties of mutual benefit life insurance corporations and associations, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Senator Boardman, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate file No. 9, a bill for an act to promote the improvement of highways and amend section 969 of the Code of 1873, and chapter 200 of the Acts of the Twentieth General Assembly, beg leave to report that they have had the same under consideration, adopted a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted, and when so adopted that the substitute do pass.

H. C. BOARDMAN,
Chairman.

Substitute ordered printed.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate file No. 158, a bill for an act to amend sections 2 and 4 of chapter 68, laws of Twenty-fourth General Assembly, in relation to steam engines on highways, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

H. C. BOARDMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate file No. 239, a bill for an act to improve highways and streets by macadamizing, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. C. BOARDMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate file No. 25, a bill for an act to provide for the improvement of county roads, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, because the same is embodied in the substitute for Senate file No. 9.

H. C. BOARDMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT.—Your Committee on Highways, to whom was referred Senate file No. 116, a bill for an act to revise and amend road laws, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed because same is covered by substitute for Senate file No. 9.

H. C. BOARDMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate file No. 57, a bill for an act designating what shall constitute a road district, and abolish the office of supervisor of highways, and to provide for the payment of all road taxes in money, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, because the same is embodied in substitute for Senate file No. 9.

H. C. BOARDMAN,
Chairman.

Ordered passed on file.

Senator Perry, from the Committee on Public Lands, submitted the following report:

MR. PRESIDENT—Your Committee on Public Lands, to whom was referred Senate file No. 139, a bill for an act to amend Chapter 193 of the acts of the Twentieth General Assembly of the State of Iowa, and make further provisions in reference to the investment of the endowment fund of the Iowa State Agricultural College and farm, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by inserting the words, "or may hereafter be," between the words, "is mortgaged," in the first line of section two, and when so amended that it do pass.

T. B. PERRY,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Lands, to whom was referred Senate file No. 62, a bill for an act authorizing the board of supervisors of Marshall county Iowa, to locate a highway over lands owned by the State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that there be enacted a substitute in lieu thereof and that the bill as thus substituted do pass.

T. B. PERRY,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Lands, to whom was referred Senate file No. 94, a bill for an act to authorize the commissioners of the Iowa Soldiers' Home to grant right of way for an electric street car line over State grounds, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended and when so amended that it do pass.

T. B. PERRY,
Chairman.

Ordered passed on file.

Senator Finn withdrew his motion of yesterday to reconsider the vote by which Senate file No. 197 was ordered engrossed.

BILLS ON THIRD READING.

Senate file No. 197, a bill for an act to amend section 466 of the code of 1873, relative to the construction of sewers in incorporated towns was taken up and read a third time.

On the question "Shall the bill pass?" the yeas were:

Senators Bishop, Boardman, Chantry, Cheshire, Downey, Everall, Harmon, Harper, Harsh, Jewett, Kelly, Lewis, Oleson, Penrose, Perrin, Reynolds, Rigger, Turner, Vale, Waterman, Yeomans—21.

The nays were:

Senators Andrews, Baldwin, Carpenter, Craig, Eaton, Ellis, Finn, Garst, Gorrell, Green, Groneweg, Jamison, Kilburn, Perry, Phelps—15.

Absent or not voting:

Senators Brower, Conaway, Dent, Funk, Henderson, Hipwell, Hurst, Lehfeldt, Mattoon, Palmer, Rea, Rowen, Terry, Upton—14.

So the bill having failed to receive a constitutional majority, was declared lost.

Senate file No. 64, a bill for an act to apply the provisions of chapter 78, laws of the Twenty-first General Assembly, as amended by chapter 17, laws of the Twenty-second General Assembly, and chapter 15, laws of the Twenty-fourth General Assembly, relating to indebtedness of cities and towns, was taken up and read a third time.

On the question "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Downey, Eaton, Ellis, Everall, Garst, Gorrell, Harmon, Harper, Henderson, Jamison, Jewett, Kilburn, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Reynolds, Rigger, Turner, Vale, Waterman, Yeomans—33.

The nays were:

Senator Groneweg—1.

Absent or not voting:

Senators Andrews, Brower, Dent, Finn, Funk, Green, Harsh, Hipwell, Hurst, Kelly, Lehfeldt, Mattoon, Rea, Rowen, Terry, Upton—16.

So the bill passed and the title was agreed to.

Senate file No. 42, a bill for an act to amend sections 289 and 290 of the Code of 1873, as amended by chapter 16 of the laws of the Twenty-fourth General Assembly of the State of Iowa, relating to bonding of county indebtedness, was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Cheshire, Conaway, Craig, Downey, Eaton, Ellis, Finn, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Henderson, Hipwell, Hurst, Jewett, Kelly, Kilburn, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Reynolds, Rigger, Rowen, Terry, Turner, Vale, Waterman—38.

The nays were:

Senator Yeomans—1.

Absent or not voting:

Senators Brower, Chantry, Dent, Everall, Funk, Harsh, Jamison, Lehfeldt, Mattoon, Rea, Upton—11.

So the bill passed and the title was agreed to.

Senate file No. 43, a bill for an act to amend section 1, chapter 16, laws of the Twenty-second General Assembly, and granting additional powers to certain cities, was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Eaton, Ellis, Everall, Finn, Garst, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Jamison, Lewis, Palmer, Penrose, Perrin, Phelps, Reynolds, Rigger, Rowen, Vale, Waterman, Yeomans—31.

The nays were:

Senators Baldwin, Downey, Hipwell, Hurst, Mattoon, Perry, Turner—7.

Absent or not voting:

Senators Brower, Dent, Funk, Gorrell, Jewett, Kelly, Kilburn, Lehfeldt, Oleson, Rea, Terry, Upton—12.

So the bill passed and the title was agreed to.

Senator Carpenter asked leave to withdraw his amendment to Senate file No. 83.

Leave granted and amendment withdrawn.

Senator Finn offered a substitute for Senate file No. 83.

Senator Harsh moved to amend the substitute by striking out the word "fail."

Senator Finn accepted the amendment.

Senator Cheshire offered the following amendment:

Amend the substitute by striking out all after the second word, "imprisonment," and inserting in lieu thereof the words, "oral evidence of the fact of marriage shall be competent without certificate of marriage or record thereof."

Adopted.

Senator Andrews moved to amend by adding the words "or adopted" after the word "wedlock."

Amendment accepted.

Senator Ellis moved that the bill be re-referred to the Committee on Judiciary with instructions to report it back to-morrow.

Lost.

Senator Finn moved that the substitute be adopted.

Carried.

Senator Finn moved that the rules be suspended, the bill be considered engrossed and read a third time now.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Downey, Eaton, Ellis, Everall, Finn, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Harsh,

Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfeldt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Phelps, Reynolds, Rigger, Rowen, Terry, Turner, Vale, Waterman, Yeomans—45.

The nays were:

Senator Perry—1.

Absent or not voting:

Senators Dent, Funk, Rea, Upton—4.

So the bill passed and the title was agreed to.

Substitute for Senate file No. 9, a bill for an act to promote the improvement of highways and amendatory to section 969 of the Code of Iowa of 1873, and chapter 200 of the acts of the Twentieth General Assembly was read first and second times.

Senator Boardman asked that 500 copies of the substitute be printed.

It was so ordered.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 85, a bill for an act to restrain hunters from trespassing upon cultivated or enclosed lands without permission, and providing penalties therefor.

I. K. WILSON,
Chief Clerk.

Yesterday's journal was read, corrected and approved.

Senator Ellis asked leave to file a motion to reconsider the vote by which Senate file No. 83 passed the Senate.

Leave granted and motion filed.

Senator Andrews moved that the Senate do now adjourn until 10 o'clock A. M. Friday, February 23, 1894.

Senator Lewis moved to amend by making time of meeting 9 o'clock A. M.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, Friday, February 23, 1894. }

Senate met pursuant to adjournment at 9 oclock A. M., and was called to order by President Dungan.

Prayer was offered by John Webb, of Des Moines.

PETITIONS AND MEMORIALS.

Senator Lewis presented a petition from W. B. Dunn and fifty other citizens of Lucas county protesting against any legislation tending to lessen the suppressive force of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Perrin presented petition from thirteen citizens of Chickasaw county on same subject.

Same reference.

Senator Downey presented a petition on the same subject from eighty-one citizens of Lee county, Iowa.

Same reference.

Senator Ellis presented a petition from fifty-six citizens of Clinton county, Iowa, on the same subject.

Same reference.

Senator Vale presented a petition on the same subject from eighty-three citizens of Jefferson county, Iowa.

Same reference.

Senator Reynolds presented a petition on the same subject from four hundred and one voters of Appanoose county, Iowa.

Same reference.

Senator Cheshire presented a petition from forty-seven citizens of Polk county on the same subject.

Same reference.

Senator Palmer presented a petition from 429 citizens of Henry county on the same subject.

Same reference.

Senator Jewett presented a petition from 590 citizens of Mitchell county on the same subject.

Same reference.

Senator Andrews presented a petition from 361 citizens of Dallas county on the same subject.

Same reference.

Senator Green presented a petition from twenty-one voters of Cedar county on the same subject.

Same reference.

Also:

Two petitions from citizens of Hartley and Massillon, asking the passage of Senate file No. 230.

Same reference.

Senator Phelps presented a petition from 118 citizens of Cass county on the same subject.

Same reference.

Also:

A petition from forty-three members of Bear Grove Congregational church, Cass county, asking the maintainance of prohibitory law.

Same reference.

Senator Henderson presented a petition from fifty-four citizens of Humboldt county on the same subject.

Same reference.

Senator Eaton presented a petition from 130 citizens of Page county on the same subject.

Same reference.

Senator Harmon presented a petition from 240 citizens of Buchanan county on the same subject.

Same reference.

Senator Kelly presented a petition from eighteen voters of Iowa county on the same subject.

Same reference.

Senator Penrose presented two petitions from citizens of Tama county, asking the maintenance of the prohibitory law.

Same reference.

Senator Carpenter presented five petitions from citizens of Louisa and Muscatine counties protesting against repeal of the prohibitory law.

Same reference.

Senator Brower presented a petition from citizens of Keokuk and Lee counties, asking the passage of a local option law.

Same reference.

Senator Groneweg presented a petition from 325 citizens of Pottawattamie county, on same subject.

Same reference.

Senator Penrose presented a petition from citizens of Tama county, asking for an appropriation of \$25,000 for the State Agricultural Society.

Referred to Committee on Agriculture.

INTRODUCTION OF BILLS.

By Senator Perrin, Senate file No. 291, a bill for an act to amend section 3061 and section 3106 of the Code of 1873.

Read first and second times and referred to Committee on Judiciary.

By Senator Yeomans, Senate file No. 292, a bill for an act to amend section 3099, of chapter 2 of the Code of Iowa, relating to executions.

Read first and second times and referred to Committee on Judiciary.

By Senator Dent, Senate file No. 293, a bill for an act relating to the investment of the funds of life insurance companies, and amendatory of section 1179 of the Code as amended by chapter 94 of the laws of the Twenty-second General Assembly.

Read first and second times and referred to Committee on Judiciary.

By Senator Cheshire, Senate file No. 288, a bill for an act to amend section 18 of chapter 65 of the acts of the Twenty-first General Assembly.

Read first and second times and referred to Committee on Insurance.

By Senator Garst, Senate file No. 289, a bill for an act to amend section 859 of the Code of Iowa and to fix the compensation of collectors of delinquent taxes.

Read first and second times and referred to Committee on Judiciary.

By Senator Jamison, Senate file No. 290, a bill for an act to pay the expenses of J. W. Cliff in his contest for the office of Secretary of the Senate of the Twenty-fourth General Assembly.

Read first and second times and referred to Committee on Claims.

HOUSE MESSAGES.

House file No. 9, a bill for an act for the relief of the grantees of Antonie Klein, and for the purpose of having a patent issued in his name for a certain tract of land, was read first and second times and referred to Committee on Judiciary.

House file No. 113, a bill for an act to legalize the organization of the Associated Norwegian Evangelical Lutheran congregations in Worth county, Iowa, and in the southern part of Freeborn county, Minnesota, was read first and second times and referred to Committee on Judiciary.

House file No. 158, a bill for an act to legalize the acts of the board of directors of the independent school district of Avoca, in the levying

of taxes for school purposes, was read first and second times and referred to the Committee on Judiciary.

House file No. 154, a bill for an act to amend section 2120 of the Code of Iowa, was read first and second times.

Senator Harmon moved that the bill be taken up for immediate consideration.

Carried.

Senator Harmon moved that the rule be suspended, and the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Chantry, Craig, Dent, Downey, Eaton, Ellis, Everall, Finn, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Lehfelddt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Terry, Turner, Vale, Yeomans—42.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Cheshire, Conaway, Funk, Kilburn, Rowen, Upton, Waterman—8.

So the bill passed and the title was agreed to.

House file No. 280, a bill for an act to legalize the extension and enlargement of the incorporate limits of the city of Pella, Marion county, Iowa, was read first and second times.

Senator Perry moved that the bill be taken up for immediate consideration.

Carried.

Senator Perry moved that the rule be suspended and the bill be read a third time now.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Chantry, Cheshire, Craig, Dent, Downey, Eaton, Ellis, Everall, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lewis, Oleson, Palmer, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Terry, Turner, Vale, Waterman, Yeomans—41

The nays were:

None.

Absent or not voting:

Senators Carpenter, Conaway, Finn, Funk, Lehfelddt, Mattoon, Penrose, Rowen, Upton—9.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

Senator Harmon, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 139, a bill for an act to amend section 1 of chapter 16, acts of the Twenty-second General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to Committee on Cities and Towns.

M. W. HARMON.

Chairman.

So referred.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 7, a bill for an act to prevent insurance trusts and combines and providing a punishment for the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that section 2 be amended by striking out the words, "one hundred," in line five and inserting in lieu thereof the word, "ten," and by striking out the words, "one thousand," in line six and inserting in lieu thereof the words, "five hundred." That section 3 be amended to read as follows:

"Section 3. Any officer, trustee, or agent of any such insurance company, corporation, co-partnership or individual, pool, trust, or combine violating any of the provisions of this act shall be guilty of a misdemeanor and fined not less than ten dollars nor more than one hundred dollars."

And that when so amended the same be indefinitely postponed.

M. W. HARMON,

Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 183, a bill for an act limiting the life of liens created by mortgages upon real property and fixing a period when said liens expire, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

M. W. HARMON,

Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 177, a bill for act to repeal section 3327, chapter 4, title 20 of the Code, relating to releasing of mortgages and a forfeit for not releasing and enacting a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

M. W. HARMON,

Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 240, a bill for an act to amend section 277 of the Code of 1873, relative to the administering of oaths and the acknowledgment of instruments by notaries public, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking out the words "proper officer," and inserting in lieu thereof the words "clerk of the district court of such county"; and that when so amended the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 254, a bill for an act to legalize the action of the school board of the independent district of Belle Plaine, Benton county, Iowa, relating to the levy of school taxes in 1893, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that section 1 be amended to read as follows: "Section 1. That the levy made by the board of directors of the independent district of Belle Plaine, in the county of Benton, State of Iowa, on the 22d day of July, 1893, for school purposes, is hereby legalized and made as valid and legal as if done in strict compliance with law." And that when so amended the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 266, a bill for an act to legalize the acts and ordinances of the incorporated town of Reinbeck, Grundy county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 276, a bill for an act to amend section 4715 of the Code of 1873, relative to the payment of costs in bastardy cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Senator Perry submitted the following minority report on Senate file No. 7.

MR. PRESIDENT—Your Committee on Judiciary has had under consideration Senate file No. 7, a bill for an act to prevent insurance trusts and combines and

providing a punishment for the same, and has amended the second section as follows: Strike out the words "one hundred" in line five and insert in lieu thereof, the word "ten," and by striking out the words "one thousand" in line six and insert "five hundred" in lieu thereof, and section three has been substituted by the report of the majority.

The majority of the Committee has resolved to report the bill back as amended with the recommendation that it be indefinitely postponed. From this conclusion I have dissented and ask leave to submit this as a minority report, and recommend that the bill as amended, do pass.

I shall now give some of the principal reasons for my disagreement with the conclusion reached by the majority.

The purpose of this bill is to abolish and prevent insurance trusts and combines. The property owners of this State, who are compelled to insure their buildings as a matter of self protection from loss by fires, have become quite familiar with the existence of the insurance monopoly with its extortions and oppressions, and they are extremely anxious for this General Assembly to grant them the relief proposed by the bill under consideration.

The experiment of this insurance trust or combine was entered upon in this State several years ago, and it has been of rapid growth in strength and power until it now includes at least two-thirds of the fire insurance companies doing business in Iowa.

The combine has increased the rate of insurance and strengthened its powers until its existence as a business factor in this State has created just cause for alarm.

Every year as it increases its power and influence, its dislodgment by legislation becomes more difficult—hence the necessity for early action on the part of the General Assembly.

Bills similar to the one in question have been introduced many times during previous sessions, and my recollection is that none of them have ever been so fortunate as to be reported back for action of any kind. It is consoling to me, however, that my bill has been so successful as to be reported by the majority, though for indefinite postponement, supplemented by this minority report.

I am informed that this heartless combine, that can exist only in accordance with the laws of our State has recently increased insurance rates in this, our capital city, and property owners are oppressed and desirous for relief. For one am in favor of granting it.

We have had for a long time a provision of law in this State, being section 5454, McClain's Code, to prevent and punish combines and trusts, but it does not apply to insurance companies. It is substantially like section one of this bill which, if passed, will do no more than condemn insurance combines as it does other combines and trusts in the section named of the Code.

If action is delayed, it will not be long until this monopoly will be as difficult to overthrow as the State Lottery was in Louisiana. This combine according to its own good will and pleasure fixes its rates of insurance as high as it chooses, without the consent of the assured; all insurance companies belonging to the trust are bound by the combine rate. Competition between companies is avoided—they each and all are protected by the combine rate and the people are completely at their mercy and compelled to pay the combine rates fixed, rather than risk their property to go uninsured.

Shall we stand still, as it were, while this robbery is going on and refuse relief to the people? Is this thing right in principle?

If it is, why deny the same privilege to railroads or other corporations?

Why not let them pool or fix their own combine rates, so that they may compel the people to pay the same? No man can well excuse himself for standing by the insurance combine and deny the same privilege to railroads and all other kinds of corporations.

T. B. PERRY.

Senator Chantry from the Committee on Charitable Institutions submitted the following report:

MR. PRESIDENT.—Your Committee on Charitable Institutions, to whom was referred Senate file No. 244, a bill for an act to establish in each county a board of children's guardians and giving such board power to act in certain cases where the welfare of the children is concerned, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

A. J. CHANTRY,
Chairman.

Ordered passed on file.

Senator Waterman from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns to whom was referred House file No. 116, a bill for an act to amend section, 2, chapter 38 laws of 1882, authorizing cities of the second class having less than five thousand inhabitants to levy a special tax for the creation of a general paving fund to pay the cost of paving street and alley intersections, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the words, "of the second class" in the second line of the title, and in the first line of section one of said bill, be stricken out, and as so amended, that the bill do pass.

H. L. WATERMAN,
Chairman

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House file No. 107, a bill for an act to amend section 515 of the Code, giving additional police force to incorporated towns, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House file No. 63, a bill for an act to authorize cities of the first class to purchase and condemn land for street purposes within said cities when said streets cross ravines or when it is necessary to widen the street to construct embankments, this bill reported by House Committee on Municipal Corporations as substitute for Senate file No. 12, and that it do pass, beg leave to report that they have had the

same under consideration and have instructed me to report the same back to the Senate with the recommendation that said substitute bill do pass.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House file 126, a bill for an act to legalize the ordinances of cities and towns, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be referred to the Committee on Judiciary.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Senator Reynolds, from the Committee on Mines and Mining, submitted the following report:

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred Senate file No. 164, a bill for an act to repeal chapter 21, acts of the Twentieth General Assembly, chapter 140, acts of the Twenty-first General Assembly, chapter 56, acts of the Twenty-second General Assembly, chapter 52, acts of the Twenty-second General Assembly, chapter 43, acts of the Twenty-first General Assembly, chapter 46, acts of the Twenty-third General Assembly, chapter 54, acts of the Twenty-second General Assembly and enact a substitute in lieu thereof, relating to the management of mines, beg leave to report that they have had the same under consideration and have amended the same and have instructed me to report the same back to the Senate with the recommendation that the amendments be adopted and when so amended that it do pass.

E. M. REYNOLDS,
Chairman.

Ordered printed.

Senator Kilburn, from the Committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate file No. 234, a bill for an act to amend chapter 200, of the acts of the Eighteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking out the third (3) and fourth (4) lines in the printed bill, also by striking out all after the seventh (7) line in the printed bill, and that when so amended the bill do pass.

L. M. KILBURN,
Chairman.

Ordered passed on file.

Senator Jewett, from the Committee on Elections, submitted the following report:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate file No. 16, a bill for an act to provide for the printing and distribution of ballots at public expense, and for the nomination of candidates for public offices, to regulate the manner of holding elections, and to enforce secrecy of the ballot, beg leave

to report that they have had the same under consideration; and have instructed me to report the same back to the Senate with the recommendation that a substitute for the same do pass.

C. F. JEWETT,
Chairman.

On motion of Senator Jewett the substitute was read first and second times and ordered printed.

Senator Vale, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 144, a bill for an act to repeal section 798, of title 6, chapter 1, of the Code, relating to exemptions for planting and cultivating forests or forest trees, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that section 2, the publication clause, be stricken out, and when so amended that the bill do pass.

B. R. VALE,
Chairman.

Ordered passed on file.

Senator Groneweg, from the Committee on Manufactures, submitted the following report:

MR. PRESIDENT—Your Committee on Manufactures, to whom was referred Senate file No. 252, a bill for an act to provide for the classification of steam boilers and to prescribe a penalty for the violation thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows: In section 2, line 26, of the original bill, strike out the words "such" and "which is," also strike out section 4, and when so amended that the bill do pass.

WM. GRONEWEG;
Chairman.

Ordered passed on file.

Senator Dent, from the Committee on Public Libraries, submitted the following report:

MR. PRESIDENT—Your Committee on Public Libraries, to whom was referred Senate file No. 219, a bill for an act to authorize the purchase of certain real estate in Des Moines, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Appropriations.

WM. H. DENT,
Chairman.

Ordered passed on file.

Senator Carpenter's motion to reconsider the vote by which Senate file No. 104 passed the Senate was taken up for consideration.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House file No. 36, a bill for an act providing for the payment of the expenses of establishing highways in certain cases.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT.—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House was asked:

Senate file No. 17, a bill for an act to amend section 3 of chapter 134, of the acts of the Twenty-first General Assembly, and to increase the number of district judges in the Ninth judicial district.

I. K. WILSON,
Chief Clerk.

The question being, "Shall the vote by which Senate file No. 104 passed the Senate be reconsidered?" the yeas were:

Senators Bishop, Brower, Carpenter, Dent, Ellis, Everall, Groneweg, Harper, Jamison, Kelly, Lehfeldt, Mattoon, Oleson, Perry, Terry, Yeomans—16.

The nays were:

Senators Andrews, Baldwin, Boardman, Chantry, Cheshire, Craig, Downey, Eaton, Garst, Gorrell, Harmon, Harsh, Henderson, Hurst, Jewett, Kilburn, Lewis, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Turner, Vale, Waterman—27.

Absent or not voting:

Senators Conaway, Finn, Funk, Green, Hipwell, Rowen, Upton—7.

So the motion to reconsider was lost.

On motion of Senator Palmer, Senate file No. 163, a bill for an act defining the powers of railroad companies with reference to the securities of other companies, with report of committee recommending it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Palmer moved that the rules be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Craig, Dent, Downey, Eaton, Ellis, Everall, Finn, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Lehfeldt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Reynolds, Rigger, Terry, Turner, Vale, Waterman, Yeomans—44.

The nays were:

None.

Absent or not voting:

Senators Conaway, Funk, Kilburn, Rea Rowen, Upton—6.

So the bill passed and the title was agreed to.

Senator Kelly moved to take up for consideration the following resolution, being No. 2. on the calendar:

Resolved, That hereafter no member of the Senate shall speak more than ten minutes nor more than once on the same question, and no Senator shall speak more than once nor longer than five minutes on each amendment. *Provided*, that the Senator in charge of a bill or resolution shall be allowed an additional ten minutes to close the debate.

Carried.

Senator Kelly moved that the resolution be adopted.

Carried.

Senator Palmer asked leave to withdraw his resolution in relation to the national flag on the capitol building, being resolution No. 1 on the calendar.

Leave granted and motion withdrawn.

BILLS ON THIRD READING.

Senate file No. 21, a bill for an act in regard to the professional instruction of common school teachers in normal and high schools, was taken up for consideration and the report of committee read.

Senator Bishop moved that the rule be suspended, the bill considered engrossed and read a third time now.

Senator Vale in the chair.

Senator Lewis offered a substitute for Senate file No. 21 and moved its adoption.

President Dungan in the chair.

Senator Harmon asked leave to recall Senate file No. 211, and that it be re-referred to the Committee on Judiciary.

It was so ordered.

Wednesday's journal was read, corrected and approved.

Senator Reynolds moved that the Senate do now adjourn until 10 o'clock A. M. to-morrow.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Saturday, February 24, 1894. }

Senate met in regular session at 10 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. Allen Judd, Des Moines.

Senator Kilburn was granted leave to introduce the following resolution:

WHEREAS, The superintendent and teachers of the public schools of Stuart have signified their intention of visiting the Capitol this morning, therefore
Resolved, That they be admitted to seats on this floor.

Adopted.

PETITIONS AND MEMORIALS.

Senator Boardman presented a petition from seventy-three citizens of Story county asking for passage of Senate file No. 221, an act to regulate the coloring of imitation butter and cheese.

Referred to Committee on Agriculture.

Also:

A petition of Ellsworth Post G. A. R., Ames, Iowa, asking that the birthday of Abraham Lincoln, February 12, be made a legal holiday in the State of Iowa.

Referred to Committee on Judiciary.

Senator Harsh presented a petition from C. M. Dunn and twenty-three other citizens of Creston, Iowa, asking that the "age of consent" be raised to eighteen years.

Referred to Committee on Public Health.

Senator Reynolds presented two petitions from citizens of Drakeville and Moulton, Davis and Appanoose counties, on same subject.

Same reference.

Senator Kilburn presented a petition from A. L. Stewart and 199 others in favor of passage of Senate file No. 221, relating to manufacture of imitation butter and cheese.

Referred to Committee on Agriculture.

Senator Waterman, presented a petition from citizens of Wapello

county, asking for an appropriation of \$25,000 for the State Agricultural Society.

Referred to Committee on Agriculture.

Senator Penrose presented two petitions from citizens of Tama county, praying the maintenance of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Kilburn presented petition on same subject from citizens of Adair county.

Same reference.

Senator Rea presented petition from Woman's Christian Temperance Union of Grundy Center on same subject.

Same reference.

INTRODUCTION OF BILLS.

By Senator Hurst, Senate file No. 294, a bill for an act for the punishment of crimes for second and subsequent offenses, and what shall be deemed prima facie evidence of a former conviction.

Read first and second times and referred to Committee on Judiciary.

By Senator Lewis, Senate file No. 295, a bill for an act to amend section 2, chapter 52, Acts of the Nineteenth General Assembly, in relation to compensation of officers and employes of the General Assembly.

Read first and second times, rules suspended, considered engrossed, read third time and passed the Senate, yeas, 39; nays, 0.

Title agreed to.

By Senator Conaway, Senate file No. 296, a bill for an act constituting a commission to revise the laws of Iowa relating to the mining of coal and other industries.

Read first and second times and referred to Committee on Mines and Mining.

By Senator Waterman, Senate file No. 297, a bill for an act to declare void certain provisions in policies of fire insurance and to require the the auditor to refuse to authorize insurance companies whose policies contain such provisions to do business in this State.

Read first and second times and referred to Committee on Insurance.

By Senator Hurst, Senate file No. 298, a bill for an act to regulate patent and proprietary medicines, pill appliances and nostrums.

Read first and second times and referred to Committee on Public Health.

By Senator Dent, Senate file No. 299, a bill for an act to amend section 1, chapter 85, acts of the Twenty-second General Assembly.

Read first and second times and referred to Committee on Judiciary.

On motion of Senator Lewis, Senate file No. 295, a bill for an act

to amend section 2, chapter 52, acts of the Nineteenth General Assembly, in relation to compensation of officers and employes of the General Assembly, was taken up, considered, and read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Boardman, Brower, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Groneweg, Harmon, Harper, Harsh, Henderson, Jamison, Jewett, Kelly, Kilburn, Lehfeldt, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Turner, Vale, Waterman—39.

The nays were:

None.

Absent or not voting:

Senators Bishop, Carpenter, Gorrell, Green, Hipwell, Hurst, Mattoon, Rowen, Terry, Upton, Yeomans—11.

So the bill passed and the title was agreed to.

Senators Rowen, Terry, Dent, Greene, Carpenter and Gorrell were granted leaves of absence until Tuesday next.

HOUSE MESSAGES.

House file No. 36, a bill for an act to provide for the payment of expenses of establishing highways by counties in certain cases, was read first and second times and referred to Committee on Highways.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate file No. 49, a bill for an act appropriating \$97.20 to defray the expenses of a delegate appointed by the Governor to attend the "Beef and Pork Combine" convention at St. Louis.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 172, a bill for an act to amend chapter 1, title 4, Code of 1873, relating to county, township, town and city government.

House file No. 307, a bill for an act to protect persons and property from danger at grade crossings of one railroad over another, or over swing or draw bridges, and at junction points by providing safety devices thereat.

I. K. WILSON,
Chief Clerk.

On motion of Senator Reynolds, House messages were taken up for consideration.

House file No. 172, a bill for an act to amend chapter 1, title 4, of Code of 1873, relating to county, township, town and city government, was read first and second times and referred to Committee on Judiciary.

House file No. 307, a bill for an act to protect persons and property from danger at grade crossings of one railroad over another or over swing or draw bridges and at junction points, by providing safety devices thereat, was read first and second times and referred to Committee on Railroads.

REPORTS OF COMMITTEES.

Senator Turner, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 224, a bill for an act to repeal section 6 of chapter 29, acts of the Twenty-fourth General Assembly, amending section 1132 of the Code of Iowa of 1873, relative to insurance, and to enact a substitute therefor in relation to accident or casualty insurance, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the publication clause be stricken out, and that when so amended the bill do pass.

GEORGE A. TURNER,
Chairman.

Ordered passed on file.

Senator Jamison, from the Committee on Congressional and Judicial Districts, submitted the following report:

MR. PRESIDENT—Your Committee on Congressional and Judicial Districts, to whom was referred Senate file No. 19, a bill for an act creating the Nineteenth Judicial District and providing for the election of two district judges therein, and also providing for the election of two judges in the Tenth Judicial district, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JAS. H. JAMISON,
Chairman.

Ordered passed on file.

Senator Vale, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 53, a bill for an act to repeal section 1111 of the Code of 1873, in relation to counties granting appropriations to agricultural societies, and enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows, viz.: Strike out the word "shall" in the third line of section 1 in printed bill and insert "may" in lieu thereof; also add at the end of said section the following: "Provided that the provisions of this act shall apply to but one such society in any one county," and when so amended that the bill do pass.

B. R. VALE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 221, a bill for an act to repeal sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 15 of chapter 52 of the acts of the Twenty-first General Assembly, and to enact substitutes therefor; to prohibit the manufacture, sale, keeping for sale, and fraudulent use of substances designed as a substitute for butter and cheese and to regulate the manufacture, sale and keeping for sale of any substances designed to be used as a substitute for butter and cheese, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows, viz:

Sec. 3, line 3, printed bill, after the word "shall," insert the words "be made to"; line 8, after the word "color," insert the word "or"; in line 9, after the word "of," insert the word "genuine"; in line 20, after the word "not," insert the words "manufactured or."

Sec. 5, line 4, after the word "be," insert the words "manufactured and," also in same line strike out the word "section," and figure "4," and insert "the preceding sections" in lieu thereof.

Sec. 7, line 4, change the words "have informed" to "inform," and in line 6 change "have delivered" to "deliver"; also in Sec. 8, line 7, change the figure "1" to the figure "2"; and when so amended that the bill do pass.

B. R. VALE,
Chairman.

(Ordered passed on file.)

Senator Waterman, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 66, a bill for an act to amend section 3 and 4 of chapter 11, of the acts of the Twenty-second General Assembly, in relation to allowing cities and incorporated towns to vote for bonds for water works, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the word "adding" be substituted for the word "inserting" in the second line of section 2 of said bill as printed; that section 3 be stricken out and the usual publication clause substituted therefor, and as thus amended the bill do pass.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House file No. 79, a bill for an act to amend section 2150 of the Code of 1873, as amended by section 3, Chapter 100, of the acts of the Sixteenth General Assembly, so as to give graders a lien on land or lots graded, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 273, a bill for an act amending section 471 of the Code of 1873, as amended by chapters 11 and 26 of the acts of the Twenty-second General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that there be stricken from section 1 of said bill the words beginning with the word "having" in the fifth line and ending with the word "census" in the sixth line thereof, as shown by the printed bills, and as amended that the same do pass.

H. L. WATERMAN.

Chairman.

Ordered passed on file.

Senator Ellis, from the Committee on Banks and Banking, submitted the following report:

MR. PRESIDENT—Your Committee on Banks and Banking, to whom was referred Senate file No. 6, a bill for an act to provide for the better security of depositors in State and savings banks organized under the laws of Iowa, beg leave to report that they have had the same under consideration and have made the following amendments thereto, to-wit: Strike out the words "it is hereby made the duty" in the second and third lines of section 1 of said act. Also by inserting between the words "bank" and "within" in the third line of said section "may by consent of the auditor of State." Also strike out the word "to" in the fourth line of section 1 between the words "knowledge" and "cause." Also by inserting between the words "refusal" and "become" in the fourth line of section 3, "for a period of ten days after being requested in writing by the owners of two-thirds of the stock of such bank by and with the consent of the auditor of State." Also strike out sections 4 and 5 and insert the regular publication clause; and have instructed me to report the same, as amended, back to the Senate with the recommendation that it do pass.

L. A. ELLIS,

Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Banks and Banking, to whom was referred Senate file No. 122, a bill for an act providing for the better security of State banks, beg leave to report that they have had the same under consideration and have made the following amendments thereto, to-wit:

Strike out the words "from time to time be fixed" and insert "be provided for."

Also, strike out in line one, section 3, the words "organized under this act."

Also, strike out in section 3, line six, "and for the payment of dividends which leave insufficient funds to meet the liabilities of the bank."

Also, to insert between the words "shall" and "divert" in the fifth line, section 3, "wilfully and knowingly."

Also, strike out in section 3, line nine, the words "created by this act" and insert "in any State bank of this State."

And have instructed me to report the same as amended back to the Senate with the recommendation that it do pass.

L. A. ELLIS,

Chairman.

Ordered passed on file.

Senator Phelps, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Joint Resolution No. 11, memorial and joint resolution relative to improvement of the Missouri river near Council Bluffs, Iowa.

Also: Senate file No. 85, an act to restrain hunters from trespassing upon cultivated or enclosed lands of another without permission, and providing penalties therefor.

Also: Senate file No. 231, an act to remove a cloud from the title to certain lands, for the relief of Dudley W. Adams.

Also: Senate file No. 179, an act to amend section three (3) of chapter one hundred and thirty-four (134), of the acts of the Twenty-first General Assembly, and to increase the number of district judges in the Ninth judicial district.

JULIAN PHELPS,

Chairman.

Senator Andrews, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred House Joint Resolution No. 10, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out of the twelfth line thereof the words "House, the Senate concurring," and by inserting in lieu thereof the words "General Assembly of the State of Iowa," and when so amended that it do pass.

H. F. ANDREWS,

Chairman.

On motion of Senator Andrews, House Joint Resolution No. 10, relative to the better preservation of flags, with report of committee recommending amendments, and that as amended it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Andrews moved that the rule be suspended, and the joint resolution be read a third time now, which motion prevailed, and the joint resolution was read a third time.

On the question, "Shall the joint resolution pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Chantry, Cheshire, Conaway, Craig, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Groneweg, Harman, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Palmer, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Turner, Vale, Waterman—39.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Dent, Gorrell, Green, Mattoon, Oleson, Penrose, Rowen, Terry, Upton, Yeomans—11.

Senator Harmon, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 167, a bill for an act to amend section 3179 of the Code of Iowa in reference to appeals to the supreme court, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 269, a bill for an act to legalize the acts and proceedings of the city of Clinton, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute do pass.

M. W. HARMON,
Chairman.

On motion of Senator Harmon, the substitute was read first and second times and passed on file.

Senator Groneweg introduced the following concurrent resolution:

CONCURRENT RESOLUTION RELATIVE TO THE PARDON OF THOMAS BROOKS.

Resolved by the Senate, the House concurring, That the Twenty-fifth General Assembly to whom the Governor of the State of Iowa has referred the application of Thomas Brooks for pardon, concur in the recommendation of the committee, and advise the Governor to grant the pardon, upon the condition that the said Thomas Brooks thereafter abstain from the use of intoxicating liquor.

Resolution laid over under the rule.

Senator Waterman for Senator Rowen, from the Committee on Penitentiaries and Pardons, submitted the following report:

MR. PRESIDENT—Your Committee on Pardons, to whom was referred the application of Thomas Brooks, now a prisoner in the penitentiary of the State at Ft. Madison, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that said Thomas Brooks be pardoned with the following conditions to be attached to said pardon, viz: That he forever abstain from the use of intoxicating liquors.

J. E. ROWEN,
Chairman.

Ordered passed on file.

On motion of Senator Rea, Senate file No 266, a bill for an act to legalize the acts and ordinances of the incorporated town of Reinbeck, Grundy county, Iowa, with report of Committee recommending it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Rea moved that the rules be suspended, the bill considered engrossed and read a third time now.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Everall, Finn, Garst, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Turner, Vale, Waterman—40.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Ellis, Funk, Gorrell, Green, Mattoon, Rowen, Terry, Upton, Yeomans—10.

So the bill passed and the title was agreed to.

On motion of Senator Penrose, Senate file No. 254, a bill for an act to legalize the action of the school board of the independent district of Belle Plaine, Benton county, Iowa, relating to the levy of school taxes in 1893, with report of committee recommending amendments and when amended that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Penrose moved that the rules be suspended, the bill be considered engrossed and read a third time now.

Carried.

Senator Lewis in the chair.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Chantry, Cheshire, Conaway, Downey, Eaton, Ellis, Everall, Finn, Garst, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Turner, Vale,—38.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Craig, Dent, Funk, Gorrell, Green, Mattoon, Rowen, Terry, Upton, Waterman, Yeomans—12.

So the bill passed and the title was agreed to.

On motion of Senator Perrin the rules were suspended and House file No. 109, a bill for an act to legalize the incorporation of the town of Marble Rock, Floyd county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town, was taken up and read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Chantry, Cheshire, Conaway, Craig, Downey, Eaton, Ellis, Everall, Finn, Garst, Groneweg, Harmon, Harper, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Riggen, Turner, Vale—39.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Dent, Funk, Gorrell, Green, Harsh, Rowen, Terry, Upton, Waterman, Yeomans—11.

Senator Perry introduced the following Joint Resolution:

JOINT RESOLUTION NO. 12.

PREAMBLE AND JOINT RESOLUTION RELATING TO THE RELIEF OF THE INCUR-
ABLE INSANE.

WHEREAS, There are now maintained in the poor houses and in small county asylums in this State 900 chronic insane persons who have been pronounced incurable by the superintendents of the State insane hospitals and returned to the counties chargeable with their care: and

WHEREAS, According to reliable information it appears that at least 1,000 of those now confined in the three asylums of the State belong to the incurable class; and,

WHEREAS, The care of these incurable patients in the State asylums, deprives acute patients of the care and attention that could be given them in the hospitals if these were not in such a crowded condition; and,

WHEREAS, The cost of maintenance of patients in the State asylums is shown to be an average of more than \$14.00 per month for each patient; and

WHEREAS, It appears from the reports made by the Board of Control of the State of Wisconsin that the incurable insane of that State are maintained in county asylums, where they receive careful attention and all necessary medical treatment, for less than one-half the amount required for maintenance of patients in the State hospitals of that State or of this; and

WHEREAS, The proposition now before this General Assembly for the erection of an additional hospital not only involves the laying of the foundation for the expenditure of nearly if not quite \$1,000,000 but when completed it will afford accommodation for no more patients than are now inadequately and often inhumanly cared for in poor houses in the State and;

WHEREAS, If it be true that a system of county hospitals such as is maintained in the State of Wisconsin can be provided for the care of the chronic insane, and the cost of maintenance is less than one-half the amount required for the support of patients in the State hospitals, and that the establishment of such county hospitals will reduce the population of our present hospitals, thus providing ample accommodations for all the acute insane in the State, it would be a useless and extravagant expenditure of money, and necessitates an increase in the tax levy of the State, to now begin the work of erecting an additional hospital. Therefore be it

Resolved by the General Assembly of the State of Iowa, That a commission to

be composed of five persons, no more than three of whom shall be chosen from one political party, shall be appointed by the executive council, whose duty it shall be to visit and carefully inspect the county hospitals of the State of Wisconsin and examine with care the method of caring for the chronic insane in the county hospitals of said State, and report their conclusions to the Twenty-sixth General Assembly with special reference to the treatment of the patients in said county hospitals, the expense of maintaining them and such other matter as may by them be deemed of interest and said report shall be filed with the governor not later than November, 1895, and one thousand copies shall be printed for the use of the members of the Twenty-sixth General Assembly.

No member of said commission shall be connected in any manner either as officer, trustee or employe of either of the State hospitals. The members of the commission shall be entitled to receive \$5.00 each for every day actually employed in carrying out the provisions of this resolution, and their actual and necessary expenses, which shall be certified under oath, audited by the executive council and paid out of any funds in the treasury not otherwise appropriated.

Senator Bishop moved that further consideration of Senate file No. 21 be postponed until next Tuesday morning, and retain its place on the calendar.

Carried.

Senator Conaway called up his resolution, No. 1 on calendar, relative to the Sergeant-at-Arms' page, and moved its adoption.

Carried.

On motion of Senator Craig, Senate file No. 54, a bill for an act to amend section 1, chapter 162, of the acts of the Eighteenth General Assembly, in relation to conveyances by foreign executors and trustees, with report of committee recommending amendments and when so amended that the bill do pass, was taken up, considered, and and the report of the committee was adopted.

Senator Craig moved that the rules be suspended, the bill considered engrossed, and read a third time now.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Chantry, Conaway, Craig, Downey, Eaton, Ellis, Finn, Garst, Groneweg, Harmon, Harper, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, L  hfeldt, Lewis, Palmer, Perrin, Phelps, Rea, Reynolds, Rigger, Turner, Vale—31.

The nays were:

None.

Absent or not voting:

Senators Brower, Carpenter, Cheshire, Dent, Everall, Funk, Gorrell, Green, Harsh, Mattoon, Oleson, Penrose, Perry, Rowen, Terry, Upton, Waterman, Yeomans—19.

So the bill passed and the title was agreed to.

On motion of Senator Craig, Senate file No. 45, a bill for an act to amend section 1726, of the Code of 1873, allowing boards of directors to establish kindergarten schools, with report of committee recommending it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Craig moved that the rules be suspended, the bill considered engrossed and read a third time now.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Ellis, Garst, Groneweg, Harmon, Harsh, Hipwell, Hurst, Jamison, Jewett, Kilburn, Lehfeldt, Lewis, Mattoon, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Turner, Vale, Waterman—35.

The nays were:

Senators Harper, Kelly—2.

Absent or not voting:

Senators Carpenter, Eaton, Everall, Finn, Funk, Gorrell, Green, Henderson, Oleson, Rowen, Terry, Upton, Yeomans—13.

So the bill passed and the title was agreed to.

On motion of Senator Chantry, Senate file No. 97, a bill for an act to amend section two (2), chapter one hundred and sixty-one (161), acts of the Twenty-first General Assembly of Iowa, with report of committee recommending amendments and that when amended the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Chantry offered the following amendment:

Add after the word "census," "not including inmates of State institutions."

Adopted.

Senator Chantry moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the resolution was read a third time.

President Dungan in the chair.

On the question "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Boardman, Brower, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Finn, Funk, Garst, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfeldt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Rea, Reynolds, Rigger, Turner, Vale, Waterman—38.

The nays were:

None.

Absent or not voting:

Senators Bishop, Carpenter, Everall, Gorrell, Green, Perry, Phelps, Rowen, Terry, Upton, Yeomans—11.

On motion of Senator Harmon, House file No. 86, a bill for an act to amend section 4560 of the Code, with report of committee recommending it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Harmon moved that the rules be suspended and the bill read a third time now.

Carried.

Senator Perry moved that the previous reading be considered the third reading.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Chantry, Conaway, Craig, Dent, Downey, Eaton, Finn, Funk, Garst, Groneweg, Harmon, Harper, Henderson, Hipwell, Jamison, Jewett, Kelly, Lehfeldt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Rea, Reynolds, Rigger, Turner, Vale, Waterman—36.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Cheshire, Ellis, Everall, Gorrell, Green, Harsh, Hurst, Kilburn, Phelps, Rowen, Terry, Upton, Yeomans—14.

So the bill passed and the title was agreed to.

On motion of Senator Lewis, House file No. 56, a bill for an act making appropriations for the support of the Iowa Weather and Crop Service, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Lewis moved that the rule be suspended and the bill be read a third time now.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Everall, Finn, Funk, Garst, Groneweg, Harmon, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfeldt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Rea, Reynolds, Rigger, Turner, Vale, Waterman—40.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Ellis, Gorrell, Green, Harper, Phelps, Rowen, Terry, Upton, Yeomans—10.

So the bill passed and the title was agreed to.

Yesterday's journal was read for correction.

Senator Finn moved to strike out all on page 7 commencing "I shall now give."

Senator Waterman, moved to amend by striking out only the paragraph commencing with the words, "By this means," and ending with the words "good intentions."

Carried.

Upon the motion as amended the yeas and nays were demanded.

On the question "Shall the original motion as amended be adopted?" the yeas were:

Senators Chantry, Ellis, Finn, Harper, Henderson, Jamison, Jewett, Lewis, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Waterman—16.

The nays were:

Senators Baldwin, Bishop, Brower, Craig, Dent, Downey, Everall, Groneweg, Harmon, Harsh, Hipwell, Hurst, Kelly, Kilburn, Oleson, Perry—16.

Absent or not voting:

Senators Andrews, Boardman, Carpenter, Cheshire, Conaway, Eaton, Funk, Garst, Gorrell, Green, Lehfeldt, Mattoon, Rowen, Terry, Turner, Upton, Vale, Yeomans—18.

The vote being a tie the President of the Senate cast the deciding vote in the affirmative.

Senator Jamison moved to strike out all the minority report after the words "do pass" in the ninth line on page 7.

Senator Dent moved that the Senate do now adjourn until Monday, February 26, at 2 o'clock p. m.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, Monday, February 26, 1894. }

Senate met pursuant to adjournment at 2 o'clock P. M., and was called to order by President Dungan.

Prayer was offered by Rev. C. C. Harrah, of Newton.

PETITIONS AND MEMORIALS.

Senator Kelly presented a petition from J. M. Mathews and eighty-seven other citizens of Iowa county asking for the passage of Senate file No. 221, an act to regulate the coloring of imitation butter and cheese.

Referred to Committee on Agriculture.

Senator Finn presented a petition from citizens of Adams county, Iowa, on the same subject.

Same reference.

Senator Henderson presented a petition on the same subject from citizens of Buena Vista county, Iowa.

Same reference.

Senator Green presented a petition from citizens of Jones county on the same subject.

Senator Green presented a petition from citizens of Cedar county asking for the passage of Senate file 221, an act to regulate the coloring of imitation butter and cheese.

Same reference.

Same reference.

Senator Mattoon presented a petition from 29 citizens of Fayette county on the same subject.

Same reference.

Senator Harsh presented petition from O. H. Edwards and 110 other citizens of Ringgold county on the same subject.

Same reference.

Senator Perrin presented a petition from citizens of Floyd county, Iowa, asking that the "age of consent" be raised to eighteen years.

Referred to Committee on Public Health.

Senator Carpenter presented two petitions from citizens of Louisa county on same subject.

Same reference.

Senator Perrin presented a petition from twenty-one voters of the Congregational Christian Endeavor Society, of Niles, Floyd county,

Iowa, asking the passage of a law prohibiting the sale of tobacco to minors under sixteen years of age.

Same reference.

Senator Rea presented a memorial and petition from the Cedar Falls District Conference of the Upper Iowa Conference of the Methodist Episcopal church, asking supplementary prohibitory legislation and remonstrating against any repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Conaway presented a petition from 109 citizens of Mahaska county asking that no change be made in the prohibitory law.

Same reference.

The Secretary of the Senate read a petition from citizens of Hite-man, Iowa, asking the passage of Senate file No. 230, to provide for medical treatment of inebriates.

Same reference.

Senator Brower presented a petition from insurance policy holders asking amendments to Senate file No. 28 and House file No. 58.

Referred to Committee on Insurance.

Senator Waterman presented a petition from business men of Ottumwa, asking the passage of House file No. 397, in relation to insurance.

Same reference.

Senator Carpenter presented two petitions from citizens of Muscatine and Louisa counties asking for an appropriation of \$25,000 for the Iowa State Agricultural Society.

Referred to Committee on Appropriations.

Senator Brower presented petition from citizens of Hancock county on same subject.

Same reference.

Senator Bishop presented two petitions from citizens of Hull and Rock Valley, Iowa, asking for universal suffrage.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Brower presented two petitions on the same subject from citizens of Cerro Gordo county, Iowa.

Same reference.

Senator Funk presented a petition from twenty-six voters and twenty-eight women of Algona, Iowa, on the same subject.

Same reference.

Senator Carpenter presented a petition from citizens of Dubuque county protesting against Senator Baldwin's bill in regard to fishing in Mississippi river.

Referred to Committee on Fish and Game.

Senator Perrin presented a memorial from Alfred Hoover, president

Missouri Valley Fish and Game Association, asking for legislation for protection of fish and game.

Same reference.

Senator Vale presented a series of resolutions from farmers' clubs of Jefferson county in relation to the matter of taxation.

Referred to Committee on Ways and Means.

Fred Shafer appeared at the bar of the Senate and was sworn in as page.

INTRODUCTION OF BILLS.

By Senator Lewis, Senate file No. 300, a bill for an act granting additional powers to cities of the second class and incorporated towns, relating to the construction of sewers or tile drains.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Everall, by request, Senate file No. 301, a bill for an act to amend section 2418 of the Code of 1873, in relation to the payment of charges against estates of decedents.

Read first and second times and referred to Committee on Judiciary.

By Senator Ellis, Senate file No. 302, a bill for an act to repeal sections 227 and 238 of the Code of 1873, and to enact substitutes therefor, relating to the qualifications of jurors and the method of preparing lists thereof.

Read first and second times and referred to Committee on Judiciary.

By Senator Perrin, Senate file No. 303, a bill for an act to repeal chapter 18 of the acts of the Twenty-fourth General Assembly, relating to taxes in aid of railways, and to enact a substitute therefor.

Read first and second times and referred to Committee on Railways.

By Senator Perrin, Senate file No. 304, a bill for an act to protect mechanics, laborers, clerks and servants.

Read first and second times and referred to Committee on Labor.

By Senator Harmon, Senate file No. 305, a bill for an act to repeal section 3 of chapter 124 of the acts of the Twenty-third General Assembly, relating to the construction of the Independence & Rush Park railway across lands of the State.

Read first and second times and passed on file.

By Senator Vale, Senate file No. 306, a bill for an act appropriating money to pay Capt. Robert N. McLeland for grain, provender and provisions furnished for the subsistence of the horses of Union soldiers while in Iowa during the late war.

Read first and second times and referred to Committee on Claims.

By Senator Rea, Senate file No. 307, a bill for an act to legalize the incorporation of the town of Conrad, Grundy county, Iowa, the

election of its officers and all the acts done, and the ordinances passed by the council of said town.

Read first and second times and referred to Committee on Judiciary.

By Senator Phelps, Senate file No. 308, a bill for an act repealing subdivision No. 10 of section 1570, and also section 1571 of the Code of Iowa of 1873, relating to the statements of officers of banks, and other associations, and enacting a substitute in lieu thereof.

Read first and second times and referred to Committee on Banks.

The Secretary of the Senate read the following communication from the Des Moines Alumni of the State University of Iowa.

To the Honorable Senate of the Twenty-fifth General Assembly:

The officers and members of your honorable body are invited to be present at a reception to be given by the Des Moines Alumni of the State University of Iowa, on the evening of March 1 (Thursday), at 8 o'clock at the Savery House.

E. H. DURLEY,

President State University of Iowa Alumni Association, Des Moines.

MINNIE HOWE,

Secretary.

REPORTS OF COMMITTEES.

Senator Harsh, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 228, a bill for an act abolishing certain offices connected with State institutions, substituting therefor a board of control, and defining its powers and duties, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed, Senators Groneweg, Dent, Everall, Olsson and Bishop dissenting.

JAMES B. HARSH,
Chairman.

Ordered passed on file.

Senator Carpenter, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 210, a bill for an act to amend section 167, laws of 1882, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

C. A. CARPENTER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 208, a bill for an act to amend section 1, chapter 109, acts of the Twenty-second General Assembly, providing for the traveling expenses of the superintendent of public instruction, beg leave to report that they have had the same under

consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

C. A. CARPENTER,
Chairman.

Ordered passed on file.

Senator Conaway, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 275, bill for an act to prevent blindness and for the care of infants affected with sore eyes and to provide a penalty for the violation thereof, beg leave to report that they have had the same under consideration, have amended the bill, and have instructed me to report the same back to the Senate with the recommendation that the words "from communicable disease" be inserted in the title after the word "blindness" and when so amended that the bill do pass.

A. B. CONAWAY,
Chairman.

Ordered passed on file.

Senator Lewis, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations to whom was referred House file No. 273, a bill for an act to pay the expenses of A. N. Richardson, contestant in the election from Jackson county, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. W. LEWIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 219, a bill for an act to authorize the purchase of certain real estate in Des Moines, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. W. LEWIS,
Chairman.

Ordered passed on file.

Senator Kilburn, from the Committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate file No. 73, a bill for an act to repeal part of the acts of the Eighteenth General Assembly of the State of Iowa, being section 3784 of the Code as amended by said acts; to repeal section two (2), chapter thirty-six (36), of the acts of the Twenty-second General Assembly of the State of Iowa, and to enact a substitute for said acts so repealed; to amend section 3781 of the Code of Iowa; to repeal section sixteen (16) of chapter 34, of the acts of the Twenty-first General Assembly of the State of Iowa, in relation to the compensation of clerks of the

District court, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the annexed bill be substituted therefor and that said substituted bill do pass.

L. M. KILBURN,
Chairman,

Substitute read first and second times and passed on file.

Senator Jewett, from the Committee on Elections, submitted the following report:

MR. PRESIDENT—Your Committee on Elections, to whom was referred House file No. 74, a bill for an act to prevent and punish the improper use of money at elections, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

C. F. JEWETT,
Chairman.

Ordered passed on file.

Senator Craig, from the Committee on Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred Senate file No. 171, a bill for an act amendatory of chapter 33, acts of the Twenty-third General Assembly, entitled an act to prevent discrimination in life insurance, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

GEO. M. CRAIG,
Chairman.

Ordered passed on file.

Senator Andrews, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate file No. 247, a bill for an act authorizing the appointment of a commission to ascertain and mark the position occupied by Iowa troops on Lookout Mountain and Missionary Ridge (the battles of Chattanooga), beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed, for the reason that it is the same as Senate file No. 133, already acted upon by this committee.

H. F. ANDREWS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate file No. 133, a bill for an act authorizing the appointment of a commission to ascertain and mark the position occupied by Iowa troops on Lookout Mountain and Missionary Ridge (the battles of Chattanooga), beg leave to report that they have had the same under consideration, and have instructed me to report the same

back to the Senate with the recommendation that the committee substitute be adopted therefor, and that the substitute when adopted do pass.

H. F. ANDREWS,
Chairman.

Substitute for Senate file No. 133 was read first and second times and passed on file.

UNFINISHED BUSINESS.

Senator Jamison's motion to strike out of the journal of the 23d all the minority report after the words "do pass" in the ninth line on page 7, was taken up.

Senator Waterman moved to lay the motion on the table.

Carried.

Senator Finn called up for consideration the motion by Senator Ellis to reconsider the vote by which Senate file No. 83 passed the Senate.

Senator Kelly moved that the motion to reconsider be laid on the table.

Upon this the yeas and nays were demanded.

On the question, "Shall the motion to reconsider be laid upon the table?" the yeas were:

Senators Andrews, Chantry, Cheshire, Craig, Eaton, Finn, Funk, Harmon, Harper, Harsh, Henderson, Jamison, Jewett, Kelly, Kilburn, Lewis, Mattoon, Palmer, Penrose, Perrin, Reynolds, Rigger, Vale, Waterman—24.

The nays were:

Senators Baldwin, Brower, Carpenter, Ellis, Garst, Green, Grone-weg, Hipwell, Hurst, Perry, Phelps, Rea—12.

Absent or not voting:

Senators Bishop, Boardman, Conaway, Dent, Downey, Everall, Gorrell, Lehfeldt, Oleson, Rowen, Terry, Turner, Upton, Yeoman—14.

So the motion to reconsider was laid upon the table.

Senator Craig asked leave to file a motion to reconsider the vote by which Senate file No. 54 passed the Senate.

Leave granted and motion filed.

Leave of absence was granted Senator Oleson.

Journal of the 24th was read, corrected and approved.

Senator Lewis moved that the Senate do now adjourn until 9 o'clock A. M. to-morrow.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, February 27, 1894. }

Senate met in regular session at 9 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. Thomas P. Burnes, of Humboldt, Iowa.

PETITIONS AND MEMORIALS.

Senator Rowen presented a petition from 190 citizens of Hardin county protesting against any legislation tending to lessen the suppressive force of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Cheshire presented five petitions from Republicans of Polk county asking passage of local option law.

Same reference.

Also:

A petition from Christian Endeavor Society of University Place asking maintenance of prohibitory law.

Same reference.

Senator Boardman presented a petition from citizens of Ames on same subject.

Same reference.

Senator Harper presented a petition from citizens of Burlington asking the passage of a law providing for medical treatment of inebriates.

Same reference.

Senator Rowen presented a petition from women of Hamilton county asking for universal suffrage.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Finn presented a petition from fifty-four voters and forty-eight women of Prescott, Iowa, on the same subject.

Same reference.

Senator Jewett presented a petition from seventy-one voters and 100 women of Lake Mills, Iowa, on same subject.

Same reference.

Senators Phelps presented a petition from twenty-one voters and forty-five non-voters of Shelby county on same subject.

Same reference.

Senator Bishop presented a petition from citizens of Rock Rapids, Iowa, on the same subject.

Same reference.

Senator Turner presented a petition from citizens of Bromley, Iowa, on same subject.

Same reference.

Also:

A petition from fifty-four voters and forty-two non-voters of Marshalltown on same subject.

Same reference.

Senator Garst presented a petition from seventy-four voters and seventy-nine non-voters of Scranton, Iowa, on the same subject.

Same reference.

Senator Vale presented a petition from fifty voters and sixty-six non-voters of Van Buren county on the same subject.

Same reference.

Senator Andrews presented three petitions from citizens of Stuart, Dexter and Woodward on the same subject.

Same reference.

Senator Terry presented a petition from citizens of Palo, Iowa, on same subject.

Same reference.

Senator Lewis presented a petition from Jacob Hasbrouck, Jr., and thirty-five other citizens of Humeston, Iowa, on same subject.

Same reference.

Senator Penrose presented a petition from citizens of Toledo, Iowa, on same subject.

Same reference.

Senator Boardman presented a petition from citizens of Ames, Iowa, on same subject.

Same reference.

Senator Garst presented a petition from ten voters and nine non-voters of Wall Lake on same subject.

Same reference.

Senator Henderson presented a petition from citizens of Newell, Iowa, asking passage of Senate file No. 221, an act to regulate the coloring of imitation butter and cheese.

Referred to Committee on Agriculture.

Senator Rowen presented resolutions from Hamilton County Farmers' Club on same subject.

Same reference.

Senator Oleson presented a petition from citizens of Webster county on same subject.

Same reference.

Senator Terry presented a petition from citizens of Linn county asking an appropriation of \$25,000 for the State Agricultural Society.

Referred to Committee on Appropriations.

Also:

A petition from citizens of Cedar Rapids relative to taxing life insurance policies.

Referred to Committee on Insurance.

Senator Carpenter presented a petition from citizens of Harper's Ferry, Iowa, protesting against more stringent legislation on fishing.

Referred to Committee on Fish and Game.

Senator Kilburn presented a petition from eighty-six citizens of Bridgewater asking passage of a law raising the age of consent.

Referred to Committee on Public Health.

Senator Gorrell presented a petition from residents of Jasper county on same subject.

Same reference.

Senator Rowen presented a petition from citizens of West Liberty, Iowa, on same subject.

Same reference.

Senator Waterman presented a petition from 154 citizens of Ottumwa, Iowa, on same subject.

Same reference.

Senator Reynolds presented a petition from citizens of Moulton, Iowa, on same subject.

Same reference.

Senator Bishop presented petitions from policy holders in insurance companies, of Sheldon and Rock Valley, Iowa, asking amendments to Senate file No. 28.

Referred to Committee on Ways and Means.

Senator Lewis presented a petition from insurance policy holders of Chariton on same subject.

Same reference.

Senator Reynolds presented a petition from insurance policy holders of Centerville, Iowa on same subject.

Same reference.

Senator Rea presented a petition from insurance policy holders of Waterloo, Iowa, on the same subject.

Same reference.

Senator Rowen presented a petition from insurance policy holders of Webster City and Ackley, Iowa, on same subject.

Same reference.

Senator Cheshire presented a petition from insurance policy holders of Des Moines, Iowa on same subject.

Same reference.

INTRODUCTION OF BILLS.

By Senator Cheshire, Senate file No. 309, a bill for an act to amend chapter 1 of the acts of the Twenty-fourth General assembly, entitled "an act to establish a board of park commissioners in certain cities of the first class, defining their powers and prescribing their duties," and to further extend the powers and prescribe the duties of such commissioners.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Cheshire, Senate file No. 310, a bill for an act to legalize the assessment and collection of taxes under the provisions of chapter 1 of the acts of the Twenty-fourth General Assembly.

Read first and second times and referred to Committee on Judiciary.

By Senator Jewett, Senate file No. 311, a bill for an act to amend section 5, of chapter 75, acts of the Eighteenth General Assembly, relating to pharmacists.

Read first and second times and referred to Committee on Pharmacy.

By Senator Perry, Senate file No. 312, a bill for an act to amend section 4405 of the Code of 1873, and providing for the State another ground of challenge for cause on the trial of an indictment for murder in the first degree.

Read first and second times and referred to Committee on Judiciary.

By Senator Turner, Senate file No. 313, a bill for an act to give county supervisors power to protect public grounds belonging to counties from trespassers and providing penalties therefor.

Read first and second times and referred to Committee on Cities and Towns.

Senator Rea introduced the following concurrent resolution and moved its adoption:

CONCURRENT RESOLUTION RELATIVE TO SUPPLYING MEMBERS OF THE GENERAL ASSEMBLY WITH SESSION LAWS.

Be it resolved by the Senate of the State of Iowa, the House concurring, That the Secretary of State be authorized to furnish the Lieutenant-Governor, each member of the Senate and each member of the House with a copy of each of the session laws from 1860 to 1892, inclusive.

Resolution adopted.

REPORTS OF COMMITTEES.

Senator Gorrell, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 98, a bill for an act for the relief of James T. Ward, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

J. R. GORRELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 227, a bill for an act appropriating money to Thos. J. Window and Thos. B. Crampton, to reimburse them for money expended in capturing live stock thieves, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended in the second line by striking out after the words "the sum of" the following words and figures: "three thousand nine hundred and seventy-eight and twenty-two one-hundredths dollars (\$3,978.22)," and inserting in lieu thereof the following words and figures: "one thousand two hundred and eighty-four and twenty-seven one-hundredths dollars (\$1,284.27)"; and that the bill as thus amended do pass.

J. R. GORRELL,
Chairman.

Ordered passed on file.

Senator Craig asked leave to withdraw his motion of yesterday to reconsider the vote by which Senate file No. 54 passed the Senate.

Leave granted.

Senators Chantry, Dent, Ellis and Lehfelddt were granted leave of absence.

BILLS ON THIRD READING.

Substitute for Senate file No. 21, a bill for an act in regard to the professional instruction of common school teachers in normal and high schools was taken up for consideration.

On the question, "Shall the substitute pass?" the yeas were:

Senators Cheshire, Craig, Downey, Funk, Garst, Gorrell, Harmon, Harsh, Henderson, Jamison, Jewett, Lewis, Phelps, Rea, Reynolds, Rikken, Rowen, Turner, Vale, Waterman—20.

The nays were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Conaway, Eaton, Ellis, Everall, Finn, Green, Groneweg, Harper, Hipwell, Hurst, Kelly, Kilburn, Mattoon, Oleson, Penrose, Perrin, Perry, Terry, Yeomans—24.

Absent or not voting:

Senators Chantry, Dent, Ellis, Lehfeldt, Palmer, Upton—6.

So the substitute was lost.

Senator Garst offered the following explanation of his vote:

MR. PRESIDENT—With the understanding that if substitute for Senate file No. 21 is adopted that the same will be referred to Committee on Appropriations, I vote "yea."

WARREN GARST,
Senator Forty-eighth District.

Senator Penrose offered the following amendment to Senate file No. 21:

SECTION 5. The trustees of all normal and directors of all high schools in which such instruction shall be given, shall employ a competent teacher and shall receive from the appropriation mentioned in the first section of this act, at the rate of one dollar for each week's instruction for each scholar from the State auditor on receipt of a written report signed by said trustees or directors (and approved by the State superintendent of public instruction), giving a detailed account of the number of students in attendance, number of weeks taught and the average attendance of said school. And the State superintendent of public instruction shall include in his biennial report to the General Assembly, the number of schools taught, number of students in attendance and the average attendance of each school established under the provisions of this act, together with an account of all money paid each school and all expenses connected therewith; provided that not more than \$400 be appropriated to any one school in the same year.

Adopted.

The question being on the third reading of Senate file No. 21, as amended.

Carried, and amended bill read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Cheshire, Conaway, Craig, Downey, Everall, Finn, Gorrell, Green, Harper, Jamison, Jewett, Kelly, Mattoon, Oleson, Penrose, Perrin, Phelps, Rikken, Rowen, Terry, Turner, Vale, Waterman, Yeomans—28.

The nays were:

Senators Brower, Carpenter, Eaton, Funk, Garst, Groneweg, Harmon, Harsh, Henderson, Kilburn, Lewis, Perry—12.

Absent or not voting:

Senators Chantry, Dent, Ellis, Hipwell, Hurst, Lehfeldt, Palmer Rea, Reynolds, Upton—10.

So the bill passed and the title was agreed to.

Senator Funk offered the following explanation of his vote:

Unless the tax levy is increased, which at this time seems wholly improbable, our educational and charitable institutions must be distressed or a State debt incurred if this measure is enacted. I therefore vote "no."

A. B. FUNK,
Senator Forty-seventh District.

Senator Garst offered the following explanation of his vote:

Unless the tax levy is increased, which at this time seems wholly improbable, our educational and charitable institutions will be distressed or a State debt incurred. I therefore vote "no."

WARREN GARST,
Senator Forty-eighth District.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution, in which the concurrence of the House was asked:

Relative to furnishing members of the General Assembly with session laws.

Also that the House has concurred in the Senate amendment to House Joint Resolution No. 10, relative to the better preservation of the colors, standards, and battle-flags carried by Iowa regiments and batteries in the war of the rebellion.

I. K. WILSON,
Chief Clerk.

On motion of Senator Andrews, Senate file No. 100, a bill for an act appropriating money to pay Captain Washington Galland for services as captain in organizing militia and volunteers for the protection of the State and for service in the army of the United States during the war of the rebellion and to reimburse him for moneys expended in supporting and maintaining said militia and volunteers when so organized, with report of committee recommending it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Penrose moved that ample time be given Senator Andrews to explain the provisions of the bill.

Carried.

Senator Brower moved to amend by striking out the words and figures "four thousand seven hundred and twenty-six dollars and thirty-four cents (\$4,726.34)" and inserting in lieu thereof the words and figures "two-thousand dollars (\$2,000)."

Senator Reynolds moved to amend the amendment by inserting "\$1,546.21" instead of "\$2,000.00."

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment to the amendment be adopted?" the yeas were:

Senators Baldwin, Bishop, Downey, Everall, Funk, Garst, Grone-weg, Harper, Harsh, Henderson, Hipwell, Hurst, Kelly, Kilburn, Lehfeldt, Lewis, Oleson, Perry, Phelps, Reynolds, Terry, Turner Waterman—23.

The nays were:

Senators Andrews, Boardman, Brower, Carpenter, Cheshire, Conaway, Craig, Eaton, Finn, Gorrell, Green, Harmon, Jewett, Mattoon, Palmer, Penrose, Perrin, Rea, Rigger, Vale, Yeomans—21.

Absent or not voting:

Senators Chantry, Dent, Ellis, Jamison, Rowen, Upton—6.

So the amendment to the amendment was adopted.

Senator Rea moved to amend the amendment by making the amount \$1,800.

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment to the amendment be adopted?" the yeas were:

Senators Andrews, Bishop, Boardman, Brower, Cheshire, Conaway, Craig, Downey, Eaton, Finn, Funk, Gorrell, Harmon, Harsh, Henderson, Jamison, Jewett, Lehfeltdt, Mattoon, Oleson, Palmer, Penrose, Perrin, Phelps, Rea, Rigger, Rowen, Terry, Turner, Vale, Yeomans—31.

The nays were:

Senators Baldwin, Carpenter, Everall, Garst, Green, Groneweg, Harper, Hipwell, Hurst, Kelly, Kilburn, Lewis, Perry, Reynolds, Waterman—15.

Absent or not voting:

Senators Chantry, Dent, Ellis, Upton—4.

So the amendment to the amendment was adopted.

Senator Harsh moved to amend the bill as follows:

Amend by inserting after the word "sum" in the seventh line the following: "*Provided*, that the above sum be accepted in full for said claim by said Washington Galland.

Amendment adopted.

Senator Andrews moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Cheshire, Conaway, Craig, Downey, Eaton, Everall, Finn, Funk, Garst, Gorrell, Harmon, Harsh, Henderson, Hurst, Jamison, Jewett, Lehfeltdt, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Vale, Waterman, Yeomans—37.

The nays were:

Senators Carpenter, Groneweg, Harper, Kelly, Kilburn, Lewis—6.

Absent or not voting:

Senators Chantry, Dent, Ellis, Green, Hipwell, Phelps, Upton—7.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:
 Substitute for House file No. 117, a bill for an act to repeal section 134, acts of the Fifteenth General Assembly, and to enact a substitute therefor;
 House file No. 123, a bill for an act to amend section 2698 of the Code in relation to interrogatories annexed to pleadings.

House file No. 134, a bill for an act to establish a uniform code of laws governing mines.

I. K. WILSON
Chief Clerk

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:
 House file No. 442, a bill for an act appropriating money to defray the expenses of the inauguration ceremonies.

House file No. 476, a bill for an act to authorize the purchase of certain real estate in Des Moines, Iowa.

I. K. WILSON
Chief Clerk

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

House file No. 169, a bill for an act to amend section 8959 of the Code of 1872, in relation to persons in places of confinement.

House file No. 136, a bill for an act for the sale and conveyance of real estate chased by counties under foreclosure of school fund mortgages.

House file No. 237, a bill for an act to amend section 8, chapter 10 of 1882.

I. K. WILSON
Chief Clerk

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 279, a bill for an act to amend section 1, chapter 24, of the Twenty-third General Assembly, with regard to the purchase and sale of text-books.

House file No. 163, a bill for an act to amend section 4275 of the Code as amended by chapter 38, laws of the Twenty-second General Assembly, in relation to grand jurors.

House file No. 311, a bill for an act to amend section 1729 of the Code requiring boards of directors to provide and keep in good repair, suitable closets or privies in connection with all public school buildings.

I. K. WILSON
Chief Clerk

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 397, a bill for an act to declare void certain provisions in policies of fire insurance and to require the Auditor of State to refuse to authorize insurance companies whose policies contain such provisions to do business in this State.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 48, a bill for an act to amend section 4, of chapter 94, of the acts of the Nineteenth General Assembly.

Also Joint Resolution No. 11, relative to instructing our Senators in Congress to use their best efforts to procure the postponement of the passage of the "Wilson Bill" until after the next general election.

I. K. WILSON,
Chief Clerk.

Senator Reynolds moved to take up House messages.

Carried.

HOUSE MESSAGES.

House file No. 47, a bill for an act to amend section 4 of chapter 94 of the acts of the Ninth General Assembly, was read first and second times and referred to Committee on Judiciary.

House Joint Resolution No. 11, relative to instructing our Senators in Congress to use their best efforts to procure the postponement of the passage of the "Wilson Bill" until after the next general election, was read first and second times and referred to Committee on Federal Relations.

House file No. 397, a bill for an act to declare void certain policies of fire insurance, and to require the auditor of state to refuse to authorize insurance companies whose policies contain such provisions to do business in this state, was read first and second times and referred to Committee on Insurance.

House file No. 279, a bill for an act to amend section 1, chapter 24, of the laws of the Twenty-third General Assembly, with regard to the purchase and sale of text-books, was read first and second times and referred to Committee on Schools.

House file No. 163, a bill for an act to amend section 4275 of the Code as amended by chapter 38, laws of the Twenty-third General Assembly, relating to grand jurors, was read first and second times and referred to Committee on Judiciary.

House file No. 311, a bill for an act to amend section 1729 of the Code of 1873, requiring boards of directors to provide and keep in good repair suitable water closets and privies in connection with all school buildings, was read first and second times and referred to Committee on Schools.

House file No. 169, a bill for an act to amend section 3959, Code of 1873, in relation to persons in places of confinement, was read first and second times and referred to Committee on Judiciary.

House file No. 136, a bill for an act to provide for the sale and conveyance of lands purchased by counties under foreclosure of school fund mortgages, was read first and second times and referred to Committee on Judiciary.

House file No. 237, a bill for an act to amend section 8, chapter 167, laws of 1882, was read first and second times and referred to Committee on Schools.

House Joint Resolution No. 10, relative to the better preservation of battle flags, read and passed on file.

House file No. 442, a bill for an act to appropriate money to defray the expenses of inauguration ceremonies, was read first and second times and referred to Committee on Appropriations.

House file No. 476, a bill for an act to authorize the purchase of certain real estate in Des Moines, Iowa, was read first and second times and referred to Committee on Appropriations.

House file No. 117, a bill for an act to repeal section 1, chapter 34, acts of the Fifteenth General Assembly, and enact a substitute therefor, was read first and second times and referred to Committee on Highways.

House file No. 123, a bill for an act to amend section 2698, of the Code of Iowa in relation to interrogatories annexed to pleadings, was read first and second times and referred to Committee on Judiciary.

House file No. 134, a bill for an act to establish uniform code of signals governing mines, was read first and second times and referred to Committee on Mines and Mining.

Senator Jamison asked leave to file a motion to reconsider the vote by which Senate file No. 21 passed the Senate.

Leave granted and motion filed.

Yesterday's journal was read, corrected and approved.

Senator Funk moved that the Senate do now adjourn until 9 o'clock A. M. to-morrow.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, February 28, 1894 }

Senate met in regular session at 9 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. W. A. Black, of Des Moines.

PETITIONS AND MEMORIALS.

Senator Riggen presented nine telegrams from women of What Cheer, Iowa, asking for universal suffrage.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Phelps presented a petition from six voters and nineteen non-voters of Shelby county on same subject.

Same reference.

Senator Palmer presented three petitions from citizens of Marshall and Washington counties on same subject.

Same reference.

Senator Henderson presented a petition from eighty-three citizens of Gilmore City, Iowa, on same subject.

Same reference.

Also:

A petition from seventy-three women of Storm Lake on same subject.

Same reference.

Also:

A petition from twenty-four voters and one hundred and twenty-one non-voters of Storm Lake on same subject.

Same reference.

Senator Boardman presented a petition from citizens of Story City on same subject.

Same reference.

Senator Kilburn presented a petition from nearly 500 citizens of Madison, Iowa, and 300 of Adair county on the same subject.

Same reference.

Senator Green presented a petition from citizens of Anamosa, Iowa, on same subject.

Same reference.

Also:

A petition from 126 voters of Cedar on same subject.

Same reference.

Senator Henderson presented a petition from citizens of Dakota City, Iowa, on same subject.

Same reference.

Senator Carpenter presented a petition from fifty-six voters of Cedar and Muscatine counties on same subject.

Same reference.

Senator Andrews presented a petition from citizens of Perry, Iowa, on same subject.

Same reference.

Also:

A petition from citizens of Exira, Iowa, on same subject.

Same reference.

Senator Turner presented a petition from citizens of Marshall county, Iowa, on same subject.

Same reference.

Senator Lewis presented a petition from 406 citizens of Lucas county, Iowa, on same subject.

Same reference.

Senator Jamison presented six petitions from citizens of Washington, Cerro Gordo, Franklin, Warren, Hancock and Clarke counties, Iowa, on same subject.

Same reference.

Senator Cheshire presented a petition from 2,000 citizens of Polk county, Iowa, on same subject.

Same reference.

Senator Garst presented a petition from 114 citizens of Grand Junction, Iowa, on same subject.

Same reference.

Senator Craig presented three petitions from voters and women of Bremer county, Iowa, on same subject.

Same reference.

Senator Jewett presented a petition from seventy-two voters and 123 women of Forest City, Iowa, on same subject.

Same reference.

Senator Rea presented a petition from seventy-three citizens of Grundy Center, Iowa, on the same subject.

Same reference.

Senator Bishop presented a petition from forty-two citizens of Ireton, Iowa, on same subject.

Same reference.

Senator Conaway presented a petition from twenty-six school teachers of Oskaloosa, Iowa, on same subject.

Same reference.

Also:

A petition from 100 tax paying women of Oskaloosa on same subject.

Same reference.

Senator Funk presented a petition from citizens of Clay county, Iowa, on same subject.

Same reference.

Senator Lewis presented a petition from 831 citizens of Wayne county on same subject.

Same reference.

Senator Perry presented a petition of 400 women of Knoxville, Iowa, on same subject.

Same reference.

Senator Phelps presented a petition of fifty voters and twenty-one non-voters of Cass county on same subject.

Same reference.

Senator Rea presented a petition from Mrs. H. M. Godfrey and sixty-two other citizens of Janesville, Iowa, on same subject.

Same reference.

Senator Mattoon presented a petition from forty-six voters and eighty-four women of Waucoma, Iowa, on same subject.

Same reference.

Senator Waterman presented a petition from citizens of Ottumwa, Iowa, on same subject.

Same reference.

Senator Terry presented a petition from 133 citizens of Mt. Vernon, Iowa, on same subject.

Same reference.

Senator Baldwin presented a petition from ladies of Humboldt county, Iowa, on same subject.

Same reference.

Senator Penrose presented a petition from twenty-one voters and forty-one women of Blainstown, Iowa, on same subject.

Same reference.

Senator Eaton presented a petition from thirty-one tax-paying women of College Springs, Iowa, on same subject.

Same reference.

Senator Hurst presented a petition from citizens of Maquoketa, on same subject.

Same reference.

The Secretary of the Senate read a petition from citizens of Grand River, Iowa, on same subject.

Same reference.

Senator Finn presented a petition from Mrs. F. Dallison and others of Taylor county, Iowa, on same subject.

Same reference.

Senator Gorrell presented a petition from 400 citizens of Jasper county on same subject.

Same reference.

Senator Henderson presented a petition from 106 members of Storm Lake Political Equality Club on same subject.

Same reference.

Senator Rikken presented a petition from citizens of What Cheer, Iowa, on same subject.

Same reference.

Senator Everall presented a petition from policy holders in insurance companies of McGregor, Iowa, asking amendments to Senate file No. 28.

Referred to Committee on Ways and Means.

Senator Terry presented five petitions from insurance policy holders of Cedar Rapids on same subject.

Same reference.

Senator Kilburn presented four petitions from insurance policy holders of Earlham, Winterset and Truro, Iowa, on same subject.

Same reference.

Senator Andrews presented a petition from insurance policy holders of Perry, Iowa, on same subject.

Same reference.

Senator Groneweg presented a petition from insurance policy holders of Council Bluffs, Iowa, on same subject.

Same reference.

Senator Rea presented five petitions from insurance policy holders of Grundy Center, Cedar Falls, Morrison and Waterloo, Iowa, on same subject.

Same reference.

Senator Boardman presented four petitions from insurance policy holders of Boone, Iowa, on same subject.

Same reference.

Senator Harsh presented a petition from N. W. Rowell and eighteen other insurance policy holders of Afton on same subject.

Same reference.

Also:

Petitions from Capt. J. F. Bishop of Des Moines, G. S. Hayden of Lorimor and P. C. Winter of Creston, on same subject.

Same reference.

Senator Brower presented a petition from three insurance policy holders of Waterloo, Iowa, on same subject.

Same reference.

Senator Mattoon presented a petition from W. H. Weir, of Randall, Iowa, on same subject.

Same reference.

Senator Finn presented a petition from insurance policy holders of Clearfield, Iowa, on same subject.

Same reference.

Senator Oleson presented a petition from insurance policy holders of Webster county on same subject.

Same reference.

Senator Rigger presented a petition from insurance policy holders of Sigourney, Iowa, on same subject.

Same reference.

Senator Bishop presented petitions from policy holders in insurance companies, of Sheldon, Iowa, on same subject.

Same reference.

Senator Henderson presented two petitions from insurance policy holders from Humboldt, Iowa, on same subject.

Same reference.

Senator Gorrell presented a petition from insurance policy holders of Colfax, Iowa, on same subject.

Same reference.

Senator Mattoon presented a petition from insurance policy holders of West Union, Iowa, on same subject.

Same reference.

Senator Yeomans presented a petition from insurance policy holders of Sioux City on same subject.

Same reference.

Senator Upton presented two petitions from citizens of Winne-shiek and Howard counties asking passage of Senate file No. 221, an act to regulate the coloring of imitation butter and cheese.

Referred to Committee on Agriculture.

Senator Rowen presented five petitions from citizens of Osceola, Des Moines and Wright counties asking passage of a law raising the age of consent.

Referred to Committee on Public Health.

Senator Harper presented two petitions from citizens of Des Moines county on same subject.

Same reference.

Senator Bishop presented two petitions from citizens of Hull, Iowa, on same subject.

Same reference.

Senator Funk presented a petition from ninety-one citizens of Algona, Iowa, on same subject.

Same reference.

Senator Upton presented a petition from citizens of Cresco, Iowa, on same subject.

Same reference.

Senator Boardman presented a petition from ninety-two voters of Story City, Iowa, on same subject.

Same reference.

Senator Green presented petition on same subject from citizens of Tipton, Iowa.

Same reference.

Senator Waterman presented a petition from citizens of Wapello county on same subject.

Same reference.

Senator Terry presented a petition from citizens of Cedar Rapids on same subject.

Same reference.

Senator Palmer presented a petition from six hundred and seven voters and nine hundred and eighty-six non-voters over sixteen years of age, of Washington county, protesting against any legislation tending to lessen the suppressive force of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Rowen presented five petitions from citizens of Wright and Hardin counties on same subject.

Same reference.

Senator Phelps presented a petition on the same subject from sixty-three citizens of Cass county, Iowa.

Same reference.

Senator Upton presented a petition from eighty-five citizens of Howard county, Iowa, on same subject.

Same reference.

Senator Kilburn presented a petition on the same subject from forty-two citizens of Adair county, Iowa.

Same reference.

Senator Conaway presented a petition on the same subject from Quarterly Meeting of Friends, Oskaloosa, Iowa.

Same reference.

Senator Andrews presented a petition from seventy three citizens of Guthrie county on same subject.

Same reference.

Senator Hipwell presented a petition from seventy-eight citizens of Scott county on same subject.

Same reference.

Senator Bishop presented a petition from forty-four citizens of Hull, Iowa, on same subject.

Same reference.

Senator Penrose presented a petition from citizens of Tama county on the same subject.

Same reference.

Senator Turner presented a petition from citizens of Marshall county on the same subject.

Same reference.

Senator Mattoon presented a petition from citizens of Lansing asking the passage of a law providing for medical treatment of inebriates.

Same reference.

Senator Reynolds presented a petition from citizens of Centerville, Iowa, asking passage of Senate file No. 7.

Referred to Committee on Insurance.

Senator Palmer presented a petition from citizens of Riverside, Iowa, asking amendments to Senate file No. 28.

Same reference.

Senator Harper presented a petition from insurance policy holders of Burlington, Iowa, asking passage of Senate file No. 7.

Same reference.

Senator Upton presented a petition from Farmers' Institute of Winneshiek county, asking for passage of Senate file No. 221, an act to regulate the coloring of imitation butter and cheese.

Referred to Committee on Agriculture.

Senator Harsh presented a petition from D. N. Aldridge and other officers of Kellerton creamery, on the same subject.

Same reference.

Senator Eaton presented a petition from citizens and dairymen of Page county on the same subject.

Same reference.

Senator Perrin presented a petition from Agricultural and Mechanical Association of Floyd county, asking an appropriation of \$25,000 for the State Agricultural Society.

Referred to Committee on Appropriations.

Senator Conaway presented a petition from school board of city of Oskaloosa, asking a revision of school laws.

Referred to Committee on Schools.

Senator Carpenter presented a petition from Muscatine Fish and

Game Protective Association protesting against any legislation tending to relax the present stringent legislation on fishing.

Referred to Committee on Fish and Game.

INTRODUCTION OF BILLS.

By Senator Cheshire, Senate file No. 314, a bill for an act to provide for the publication and distribution of the proceedings of the Iowa State Teachers' Association.

Read first and second times and referred to Committee on Printing.

By Senator Everall, Senate file No. 315, a bill for an act applying sections 318 and 319 of the Code to municipal corporation taxes levied under section 3049 of the Code, and chapter 57 of the acts of the Sixteenth General Assembly.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Harmon, by request, Senate file No. 316, a bill for an act relating to certain contracts for the conditional sale, lease, or hire of railroad and street railway equipments and rolling stock, and providing for the recording thereof.

Read first and second times and referred to Committee on Railways.

By Senator Hipwell, Senate file No. 317, a bill for an act to repeal chapter 14 of the laws of the Twenty-third General Assembly, as amended by chapter 9 of the laws of the Twenty-fourth General Assembly, relating to paving, curbing and sewerage, in cities under special charters, and to enact a substitute therefor.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Hipwell, Senate file No. 318, a bill for an act to empower cities under special charter to levy a special tax for sweeping, sprinkling, cleaning and repairing paved streets and alleys.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Perrin, Senate file No. 319, a bill for an act for the better protection of persons holding policies in life insurance companies or associations other than mutual benefit associations and fraternal benefit associations, and providing penalties for a violation thereof.

Read first and second times and referred to Committee on Insurance.

By Senator Rea, by request, Senate file No. 320, a bill for an act to amend chapter 3, of title 16, of the Code of 1873, referring to the settlement of estates.

Read first and second times and referred to Committee on Judiciary.

By Senator Terry, Senate file No. 321, a bill for an act to prevent discrimination by telephone companies.

Read first and second times and referred to Committee on Corporations.

By Senator Baldwin, by request, Senate file No. 322, a bill for an act to incorporate the deaf and dumb manual alphabet in the school text-books.

Read first and second times and referred to Committee on Educational Institutions.

Senator Lewis introduced the following resolution and moved its adoption:

Resolved, That the House be hereby requested to return Senate file No. 21, pending a motion to reconsider.

Senator Finn moved to take up for consideration Senator Jamison's motion to reconsider the vote by which Senate file No. 21 passed the Senate.

Senator Bishop moved to lay the resolution offered by Senator Lewis upon the table.

Upon this the yeas and nays were demanded.

On the question, "Shall the resolution be laid upon the table?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Cheshire, Conway, Craig, Downey, Everall, Finn, Gorrell, Green, Hurst, Mattoon, Oleson, Penrose, Perrin, Rowen, Terry, Waterman—20.

The nays were:

Senators Brower, Eaton, Funk, Garst, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Jamison, Jewett, Kelly, Kilburn, Lewis, Palmer, Perry, Phelps, Rea, Rigger, Turner, Upton, Vale, Yeomans—24.

Absent or not voting:

Senators Carpenter, Chantry, Dent, Ellis, Lehfeldt, Reynolds—6.

So the motion to lie upon the table was lost.

Senator Groneweg in the chair.

The question being "Shall the resolution offered by Senator Lewis be adopted?"

Upon this the yeas and nays were demanded.

On the question, "Shall the resolution be adopted?" the yeas were:

Senators Brower, Carpenter, Eaton, Funk, Garst, Gorrell, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Jamison, Jewett, Kilburn, Lewis, Palmer, Perry, Phelps, Rea, Rigger, Upton, Vale—23.

The nays were:

Senators Andrews, Baldwin, Bishop, Boardman, Cheshire, Cona-

way, Craig, Downey, Everall, Finn, Green, Hurst, Mattoon, Oleson, Penrose, Perrin, Turner, Waterman, Yeomans—19.

Absent or not voting:

Senators Chantry, Dent, Ellis, Kelly, Lehfeldt, Reynolds, Rowen, Terry—8.

So the resolution was adopted.

REPORTS OF STANDING COMMITTEES.

Senator Harmon, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 156, a bill for an act to amend chapter 10, title 3, of the Code of 1873, relating to selecting and drawing jurors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that section 5 be amended by inserting after the word "box" where it first occurs in line 13 the words "to be known as the talesman's box."

That section 8 be amended by striking out the word "second" and inserting in lieu thereof the word "talesman." That the words "from the talesman's box" be inserted after the word "drawn" in line 10 of section 8.

That the words "the third box" be stricken from the end of section 8 and the following be added at the end of said section "a safe receptacle from time to time until all ballots shall be returned to the talesman's box to be drawn in like manner as before. All other ballots drawn where jurors do not appear or do not serve, except where permanent disability or exemption is shown, shall be returned to the respective boxes from which drawn." And that when so amended the same do pass.

M. H. HARMON,
Chairman

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 272, a bill for an act to provide for process in case of information filed against a corporation and for the service of the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 301, a bill for an act to amend section 2418 of the Code of 1873, in relation to the payment of charges against the estates of decedents, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 307, a bill for an act to legalize the incorporation of the town of Conrad, Grundy county, Iowa, the election of its officers, and all the acts done, and the ordinances passed by the council of said town, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 15, a bill for an act to amend section 3275, chapter 2, title 20, of the Code of 1873, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 19, a bill for an act to legalize the election of trustees and articles of incorporation of Fells' Cemetery, town of Libertyville, county of Jefferson, State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that section 1 be amended to read as follows:

SECTION 1. That the adoption of articles of incorporation and election of trustees of Fells' cemetery, Libertyville, in Jefferson county, Iowa, on March 23, 1889, be and the same are hereby legalized.

And that when so amended the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 108, a bill for an act creating a commission to revise and codify the laws of Iowa and defining its duties and providing for the publication and distribution of its report, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 113, a bill for an act to legalize the incorporation of the Associated Norwegian Evangelical Lutheran congregation in Worth county, Iowa, and in the

southern part of Freeborn county, Minn., beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

M. H. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 9, a bill for an act for the relief of the grantees of Antonie Klein and for the purpose of having a patent in his name for a certain tract of land, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to the Committee on Public Lands.

M. W. HARMON,
Chairman.

So referred.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 147, a bill for an act to amend chapter 1, title 9, of the Code of Iowa, and to more particularly define the manner of creating corporations for pecuniary profit and to fix the liability of the stockholders, and to fix the compensation to be paid the State for such franchises, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be referred to the Committee on Corporations.

M. W. HARMON,
Chairman.

So referred.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 125, a bill for an act to provide for the issuance of bonds for the purpose of funding county indebtedness, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Senator Lewis, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House file No. 442, a bill for an act appropriating money to defray the expenses of the inauguration ceremonies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. W. LEWIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House file No. 476, a bill for an act to authorize the purchase of certain real estate in Des Moines, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be substituted for Senate file No. 219 and when so substituted that it do pass.

L. W. LEWIS,
Chairman.

Ordered passed on file.

Senator Conaway, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 286, a bill for an act to amend section 1, chapter 59, acts of the Twenty-fourth General Assembly, in relation to the protection of the public health, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

A. B. CONAWAY,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 180, a bill for an act to amend chapter 151, acts of the Eighteenth General Assembly, relating to the State board of health, beg leave to report that they have had the same under consideration, have amended the same and have instructed me to report the same back to the Senate with the recommendation that they have substituted sections 3, 4, 5 and 6, and when so amended that the bill do pass.

A. B. CONAWAY,
Chairman.

Ordered passed on file.

Senator Reynolds, from the Committee on Mines and Mining, submitted the following report:

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred House file No. 134, a bill for an act to establish a uniform code of signals governing mines, beg leave to report that they have had the same under consideration and have amended it by striking out the publication clause, and have instructed me to report the same back to the Senate with the recommendation that when so amended that it do pass.

E. M. REYNOLDS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred Senate file No. 287, a bill for an act to provide for the liability of operators of coal mines, the negligence of agents and other employes in certain cases, beg leave to report that they have had the same under consideration, and have

instructed me to report the same back to the Senate with the recommendation that it be amended by inserting in the printed bill the words "employing ten men or over" in the first line of section one, between the words "State" and "shall," and by inserting "or" in the third line between "engineer" and "timberman" and erasing "or other employes," in same line, and inserting "or" in the fifth line between "engineer" and "timberman" and erasing "or other employes," in same line and inserting "cause or" before "inflict" in the beginning of the third line of section two, and inserting the words "of negligence" in the fourth line, same section, between the words "result" and "of," and when so amended that it do pass.

E. M. REYNOLDS,
Chairman.

Ordered passed on file.

Senator Finn, from the Committee on Educational Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred Senate file No. 81, a bill for an act to establish the eastern Iowa school for the deaf, and to provide for the building and government of the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be referred to the Committee on Appropriations.

G. L. FINN,
Chairman.

So referred.

Senator Funk, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate file No. 169, a bill for an act to authorize the manufacture and sale of intoxicating liquors in counties, cities and incorporated towns upon a vote of the electors thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed. A minority of the committee submit a report.

A. B. FUNK,
Chairman.

Ordered passed on file.

MINORITY REPORT OF THE COMMITTEE ON SUPPRESSION OF INTEMPERANCE.

The undersigned, a minority of the Committee on Suppression of Intemperance to whom is referred Senate file No. 169, beg leave to report that they have had the same under consideration and that they are unable to agree with the majority of this committee for the reason that they think this bill is in accordance with the wishes of a large majority of the people of this State who desire to have our present law modified. The bill grants substantial relief to those sections of the State where the law as it now stands is not and cannot be enforced. If the people by a majority vote so declare, while on the other hand, it does not change the law in other sections where the people want it and enforce it. This bill if enacted into law gives the people what they asked for and what was promised them during the last campaign by both political parties, and as it, in our opinion, serves best the

cause of temperance and morality, we recommend that this bill do pass; all of which is respectfully submitted.

WM. GRONEWEG,
L. B. MATTOON,
O. M. OLESON,
JOHN DOWNEY,

Committee.

Senator Kelly, from Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills, respectfully report that they have examined Senate file No. 189, a bill for an act to amend sections 2 and 3, chapter 34, acts of the Twenty-third General Assembly, relating to the catching of fish, and find the same correctly engrossed.

M. J. KELLY,
Chairman.

On motion of Senator Harmon substitute for Senate file No. 125 was read first and second times and ordered printed.

Senator Funk asked leave to withdraw his motion to reconsider the vote by which Senate file 189 passed the Senate.

Leave granted and motion withdrawn.

President Dungan in the chair.

The hour having arrived for the special order, being the vote on Joint Resolution No. 4, relative to a change in the Constitution, on motion of Senator Jamison the vote was deferred fifteen minutes to give Senator Perry an opportunity to be heard.

Joint Resolution No. 4 was read a third time.

On the question, "Shall Joint Resolution No. 4 pass?" the yeas were:

Senators Andrews, Boardman, Cheshire, Conaway, Craig, Eaton, Finn, Harmon, Harsh, Henderson, Jamison, Jewett, Kilburn, Lewis, Perrin, Phelps, Reynolds, Rigger, Rowen, Waterman—20.

The nays were:

Senators Baldwin, Bishop, Brower, Carpenter, Downey, Everall, Funk, Garst, Gorrell, Greene, Groneweg, Harper, Hipwell, Hurst, Kelly, Lehfeldt, Mattoon, Oleson, Palmer, Perry, Rea, Terry, Turner, Upton, Vale, Yeomans—26.

Absent or not voting:

Senators Chantry, Dent, Ellis, Penrose—4.

So the joint resolution was lost.

Senator Penrose announced that he was paired with Senator Ellis on this measure.

Senator Conaway offered the following explanation of his vote:

MR. PRESIDENT—I desire to explain my vote. I believe that my good old mother and my amiable wife, under the laws of government, should have equal rights with their husbands, for the reason that they are our equals, and in many regards our superiors. Taxation without representation is oppressive, and is the

greatest source of disquiet in any government. Woman has purified every organization that she has entered; she has elevated every institution with which she has been connected; she has filled every position of trust that she has been called upon to occupy, with as much, if not greater ability and aptitude than her husband and brother. She is his peer in every particular. She is now endowed with every other right and privilege with man. I cannot, therefore, see any good reason why this last veil should not be lifted and permit her to step out into the fullness of political freedom. I therefore vote aye.

A. B. CONAWAY.

Senator Rowen moved that Senate file No. 168 be made a special order for 10:30 o'clock to-morrow.

Senator Lewis moved to amend by taking the bill up at once.

Carried.

Senate file No. 168, a bill for an act entitled an act to confer upon women the right to vote at school elections, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Rowen moved that the rule be suspended, and the bill be considered engrossed and read a third time now.

Senator Waterman moved that the bill be referred to Committee on Judiciary.

Senator Rowen moved to amend by instructing the committee to report bill back to the Senate by 10:30 o'clock Friday morning.

Carried.

Senator Groneweg moved that Senate file No. 169 be made special order for next Wednesday at 10:30 A. M.

Upon this the yeas and nays were demanded.

On the question, "Shall the bill be made a special order?" the yeas were:

Senators Baldwin, Bishop, Brower, Craig, Downey, Everall, Green, Groneweg, Harper, Hipwell, Hurst, Kelly, Lehfeltdt, Mattoon, Oleson, Perry, Terry, Yeomans—18.

The nays were:

Senators Andrews, Boardman, Carpenter, Cheshire, Conaway, Finn, Funk, Garst, Gorrell, Harmon, Harsh, Henderson, Jamison, Jewett, Kilburn, Lewis, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Riggan, Turner, Upton, Vale, Waterman—27.

Absent or not voting:

Senators Chantry, Dent, Eaton, Ellis, Rowen—5.

So the motion to make the bill a special order was lost.

On motion of Senator Funk, House file No. 15, a bill for an act to amend section 3275, chapter 2, title 20 of the Code of 1873, was substituted for Senate file No. 30.

On motion of Senator Funk, House file No. 15, with report of committee recommending amendments and when amended that same do

pass, was taken up, considered, and the report of the committee adopted.

Senator Funk moved that the rule be suspended, and the bill be considered engrossed and read a third time now.

Carried.

Senator Funk moved that reading just finished be considered the third reading.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Boardman, Carpenter, Cheshire, Conaway, Downey, Finn, Funk, Gorrell, Harmon, Harper, Harsh, Henderson, Hipwell, Lehfeldt, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Reynolds, Rowen, Turner, Upton, Vale, Waterman, Yeomans—30.

The nays were:

Senators Eaton, Everall, Garst, Green, Groneweg, Kelly, Kilburn—7.

Absent or not voting:

Senators Bishop, Brower, Chantry, Craig, Dent, Ellis, Hurst, Jamison, Jewett, Mattoon, Rea, Terry—13.

So the bill passed and the title was agreed to.

On motion of Senator Boardman, Senate file No. 76, a bill for an act to prevent deception in the sale or other disposition of milk and to preserve the public health and to prescribe the duties of the dairy commissioners in relation thereto, with the report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Boardman moved that the rule be suspended, and the bill be considered engrossed and read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Boardman, Brower, Cheshire, Craig, Downey, Eaton, Everall, Funk, Garst, Gorrell, Green, Harmon, Harper, Harsh, Henderson, Jamison, Jewett, Lehfeldt, Oleson, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Turner, Upton, Vale, Waterman, Yeomans—31.

The nays were:

None.

Absent or not voting:

Senators Bishop, Carpenter, Chantry, Conaway, Dent, Ellis, Finn, Groneweg, Hipwell, Hurst, Kelly, Kilburn, Lewis, Mattoon, Perry, Rowen—19.

So the bill passed and the title was agreed to.

On motion of Senator Andrews Senate file No. 128, a bill for an act to provide a room for the Grand Army of the Republic, Department of Iowa, in the capitol building and for an appropriation therefor, with report of committee recommending amendments and when so amended that the same do pass was taken up, considered and the report of the committee adopted.

Senator Andrews moved that the rule be suspended, and the bill be considered engrossed and read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Boardman, Brower, Cheshire, Conaway, Craig, Eaton, Everall, Gorrell, Green, Harmon, Harsh, Henderson, Jamison, Jewett, Kilburn, Mattoon, Palmer, Penrose, Perrin, Perry, Phelps, Reynolds, Riggen, Rowen, Turner, Vale, Yeomans.—28.

The nays were:

Senators Finn, Garst, Harper, Kelly—4.

Absent or not voting:

Senators Baldwin, Bishop, Carpenter, Chantry, Dent, Downey, Ellis, Funk, Groneweg, Hipwell, Hurst, Lehfeldt, Lewis, Oleson, Rea, Terry, Upton, Waterman—18.

So the bill passed and the title was agreed to.

Senator Yeomans offered the following resolution:

Resolved, That the Committee on Suppression of Intemperance be and hereby is instructed to report back for the action of the Senate, before the municipal elections of next Monday, all bills before it proposing to grant relief to the people as promised by the thirteenth resolution of the last Republican State platform.

Laid over under the rule.

Yesterday's journal was read, corrected and approved.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:
House file No. 227, a bill for an act to regulate the testing of milk.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution, in which the concurrence of the Senate is asked:

Relative to the pardon of A. F. Hocket.

I. K. WILSON,
Chief Clerk.

Senator Brower offered the following resolution:

Resolved, That Senate file No. 3 be recalled from the Committee on Suppression of Intemperance and reported back to this body for such action as may then be determined upon in the Senate.

Laid over under the rule.

Senator Penrose moved that the Senate do now adjourn until 9 o'clock A. M. to-morrow.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, March 1, 1894. }

Senate met in regular session at 9 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. J. F. Froeschle, of Des Moines.

PETITIONS AND MEMORIALS.

Senator Rowen presented six petitions from citizens of Osceola, Cerro Gordo, Hamilton, Page, Des Moines and Wright counties asking passage of a law raising the age of consent.

Referred to Committee on Public Health.

Senator Harper presented two petitions from citizens of Des Moines county on same subject.

Same reference.

Senator Cheshire presented a petition from citizens of Polk county, Iowa, on same subject.

Same reference.

Senator Reynolds presented a petition from citizens of Lineville, Wayne county, on same subject.

Same reference.

Senator Conaway presented a petition from citizens of Des Moines county on same subject.

Same reference.

Senator Palmer presented a petition from citizens of Washington county on same subject.

Same reference.

Senator Boardman presented two petitions from citizens of Ames, Story county, Iowa, on same subject. ‡

Same reference.

Senator Garst presented a petition from citizens of Carroll county, Iowa on same subject.

Same reference.

Senator Lewis presented a petition from Judge W. H. Tedford and 177 other citizens of Wayne county, Iowa, on same subject.

Same reference.

Senator Rea presented petitions from citizens of Black Hawk county, Iowa, on the same subject.

Same reference.

Senator Brower presented a petition from A. J. Cole on the same subject.

Same reference.

Senator Bishop presented two petitions from citizens of Osceola and Sioux counties on the same subject.

Same reference.

Senator Cheshire presented petitions from policy holders in insurance companies of Des Moines, Iowa, asking amendments to Senate file No. 28.

Referred to Committee on Ways and Means.

Senator Terry presented five petitions from insurance policy holders of Linn and Scott counties on the same subject.

Same reference.

Senator Craig presented petitions from insurance policy holders of Bremer county on the same subject.

Same reference.

Senator Finn presented a petition from insurance policy holders of Blockton, Iowa, on same subject.

Same reference.

Senator Groneweg presented a petition from insurance policy holders of Neola, Iowa, on same subject.

Same reference.

Senator Upton presented four petitions from citizens of Calmar and Cresco, Iowa, on same subject.

Same reference.

Senator Andrews presented a petition from insurance policy holders of Minden, Iowa, on same subject.

Same reference.

Senator Perrin presented a petition from C. P. Colgrove, of Nora Springs, Iowa, on same subject.

Same reference.

Senator Brower presented a petition from insurance policy holders of Mason City, Iowa on same subject.

Same reference.

Senator Hipwell presented two petitions from insurance policy holders of Scott county, Iowa, on same subject.

Same reference.

Senator Boardman presented two petitions from insurance policy holders of Colo and Boone, Iowa, on same subject.

Same reference.

Senator Palmer presented a petition from insurance policy holders of Mt. Pleasant, Iowa, on same subject.

Same reference.

Senator Kilburn presented a petition from insurance policy holders of Winterset, Iowa, on same subject.

Same reference.

Senator Baldwin presented petitions from insurance policy holders of Dubuque, Iowa, on same subject.

Same reference.

Senator Oleson presented petitions from insurance policy holders of Ft. Dodge and Gowrie, Iowa, and Chicago, Illinois, on same subject.

Same reference.

Senator Henderson presented a petition from insurance policy holders from Fonda, Iowa, on same subject.

Same reference.

Senator Finn presented two petitions from insurance policy holders of Doon and Little Rock, Iowa, on same subject.

Same reference.

Senator Penrose presented petitions from insurance policy holders of Belle Plaine, Vinton and Waukon on same subject.

Same reference.

Senator Boardman presented a petition from twenty-five citizens of Story county, asking passage of Senate file No. 221, a bill for an act to regulate the coloring of imitation butter and cheese.

Referred to Committee on Agriculture.

Senator Craig presented a petition from citizens of Bremer county on same subject.

Same reference.

Senator Upton presented petition from citizens of Howard county, Iowa, on same subject.

Same reference.

Senator Rea presented a petition from A. Livingston and seventy-four other citizens of Black Hawk county, Iowa, asking for universal suffrage.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Reynolds presented a petition from citizens of Appanoose county, asking an appropriation of \$25,000 for the State Agricultural Society.

Referred to Committee on Appropriations.

Senator Lewis presented a petition from W. F. Shannon and eighty-seven other business men of Seymour, Wayne county, Iowa, asking passage of Senate file No. 7.

Referred to Committee on Judiciary.

Senator Baldwin presented a petition from business men of Dubuque, Iowa, on same subject.

Same reference.

Senator Palmer presented a petition from insurance policy holders of Washington, Iowa, on same subject.

Same reference.

Senator Terry presented petitions from policy holders in insurance companies of Cedar Rapids, Iowa, on the same subject.

Same reference.

Senator Hipwell presented a petition from fire insurance policy holders of Davenport, Iowa, on same subject.

Same reference.

INTRODUCTION OF BILLS.

By Senator Conaway, Senate file No. 323, a bill for an act to create a board of parole and inspection for the penitentiaries of Iowa.

Read first and second times and referred to Committee on Penitentiaries.

By Committee on Suppression of Intemperance, Senate file No. 324, a bill for an act amending chapter 6 of title 11 of the Code of 1873 and chapter 35 of the acts of the Twenty-third General Assembly, and providing for the granting of permits for the sale of spirituous, malt and vinous liquors by persons other than pharmacists.

Read first and second times and made special order for March 8.

By Senator Perry, Senate file No. 325, a bill for an act to prevent fire insurance companies from stipulating in their policies against liability for representations and statements made by their authorized agents.

Read first and second times and referred to Committee on Judiciary.

By Senator Carpenter, Senate file No. 326, a bill for an act amending chapter 54 of the acts of the Seventeenth General Assembly, and providing for the establishment of a station of the Iowa Weather Service at Muscatine.

Read first and second times and referred to Committee on Agriculture.

By Senator Rowen, by request, Senate file No. 327, a bill for an act to protect debtors and creditors from injustice on account of changes made in the value of money.

Read first and second times and referred to Committee on Judiciary.

By Senator Hurst, Senate file No. 328, a bill for an act to regulate foreign building, loan and homestead associations doing business in the State of Iowa.

Read first and second times and referred to Committee on Judiciary.

By Senator Bishop, by request, Senate file No. 329, a bill for an act to amend chapter 104 of the laws of the Twenty-first General Assembly.

Read first and second times and referred to Committee on Public Health.

By Senator Dent, Senate file No. 330, a bill for an act to allow the manufacture of spirituous, vinous and malt liquors within the State of Iowa.

Read first and second times and referred to Committee on Suppression of Intemperance.

By Senator Finn, Senate file No. 331, a bill for an act to secure the enforcement of the laws prohibiting the sale of intoxicating liquors and to better protect the educational institutions of Iowa.

Read first and second times and referred to Committee on Educational Institutions.

Senator Funk moved that Senate file No. 324 be made a special order for Thursday, March 8, at 10:30 o'clock A. M.

Senator Kelly moved to amend by substituting Senate file No. 3 for Senate file No. 324.

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment prevail?" the yeas were:

Senators Baldwin, Bishop, Brower, Dent, Downey, Everall, Grone-
weg, Harper, Hipwell, Hurst, Kelly, Mattoon, Oleson, Perry, Terry
Yeomans—16.

The nays were:

Senators Andrews, Boardman, Carpenter, Cheshire, Conaway, Craig,
Eaton, Ellis, Finn, Funk, Garst, Gorrell, Harmon, Harsh, Henderson,
Jamison, Jewett, Kilburn, Lewis, Palmer, Penrose, Perrin, Phelps
Rea, Reynolds, Rigger, Rowen, Turner, Upton, Vale, Waterman—30.

Absent or not voting:

Senators Chantry, Ellis, Green, Lehfeldt—4.

So the amendment was lost.

Senator Kelly moved to amend by substituting Senate file No. 99 for Senate file No. 324.

Lost.

The question being upon the original motion to make Senate file No. 324 a special order.

Upon this question the yeas and nays were demanded.

On the question, "Shall the bill be made a special order?" the yeas were:

Senators Boardman, Carpenter, Cheshire, Conaway, Craig, Dent,
Downey, Eaton, Everall, Finn, Funk, Garst, Gorrell, Harmon, Harsh,
Henderson, Jamison, Jewett, Kelly, Kilburn, Lewis, Mattoon, Pal-

mer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Rowen, Turner, Upton, Vale, Waterman—34.

The nays were:

Senators Andrews, Baldwin, Bishop, Brower, Groneweg, Harper, Hipwell, Hurst, Perry, Terry, Yeomans—11.

Absent or not voting:

Senators Chantry, Ellis, Green, Lehfeldt, Oleson—5.

So the motion was carried.

Senator Funk moved that 1,000 copies of Senate file No. 324 be printed.

Senator Finn moved to amend to make the number 500 instead of 1,000, and leave it in the hands of the chairman of the committee to order 500 later.

Lost.

The question being upon the original motion.

Carried.

Senator Harmon in the chair.

Senator Harper moved that the reference of Senate file No. 283 be changed from the Committee on Ways and Means to the Committee on Charitable Institutions.

Carried.

Senator Harsh introduced the following resolution and moved its adoption:

Resolved, That the President of the Senate appoint a committee of three Senators to draft suitable resolutions to spread on the journal of the Senate relative to the death at his home in Creston, February 28, 1894, of Hon. James W. McDill.

Resolution adopted.

HOUSE MESSAGES.

House concurrent resolution relative to the pardon of A. F. Hockett, was read first and second times and referred to Committee on Pardons.

House file No. 277, a bill for an act to regulate the testing of milk, was read first and second times and referred to Committee on Agriculture.

REPORTS OF COMMITTEES.

Senator Funk, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate file No. 102, a bill for an act to provide for local option in the sale and manufacture and sale of spirituous, malt and vinous liquors in counties and cities and granting permits therefor and providing penalties for its violation, beg leave to report that they have had the same under consideration and have instructed

me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

A. B. FUNK,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate file No. 114, a bill for an act to amend chapter six of the Code of Iowa, in reference to the sale of intoxicants, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

A. B. FUNK,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate file No. 99, a bill for an act to more effectually control and restrain saloons and persons engaged in the sale of intoxicating liquors as a beverage in cities of 2,000 or over inhabitants, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

A. B. FUNK,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate file No. 130, a bill for an act supplemental to the present prohibitory law, providing additional penalties relative to the better enforcement of the law, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

A. B. FUNK,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate file No. 96, a bill for an act to provide for the granting of permits for the sale of spirituous, malt, fermented and vinous liquors in cities of over 4,000 inhabitants, where a majority vote shall so decide, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

A. B. FUNK,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate file No. 3, a bill for an act to provide for county local option in

the sale and manufacture and sale of spirituous, malt, vinous and fermented liquors, and the granting of permits therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

A. B. FUNK,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate file No. 136, a bill for an act to make more effectual the prohibitory law of the State of Iowa, by making additional penalties where liquors are sold unlawfully in towns of 2,000 inhabitants and upward, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

A. B. FUNK,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate file No. 198, a bill for an act to regulate and control the illegal sale of intoxicating liquors, including ale, wine and beer, in cities and incorporated towns, and to provide for taxing the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

A. B. FUNK,
Chairman.

Ordered passed on file.

Senator Waterman, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 250, a bill for an act granting additional powers to cities organized under special charters, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House file No. 243, a bill for an act to amend section 559 of the Code of 1873, to provide for alleys, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House file No. 139, a bill for an act to amend section 1, chapter 16, of the acts of the Twenty-second General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Senator Harmon, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 158, a bill for an act to legalize the acts of the board of directors of the independent school district of Avoca in the levying of taxes for school purposes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 22, a bill for an act for the protection of passengers and employes on railroad cars against murder and robbery, beg leave to report that they have had the the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

M. W. HARMON.
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 281, a bill for an act to amend section 1606 of the Code of Iowa, by enlarging the powers of the board of trustees of the State Agricultural College and farm, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.,

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 284, a bill for an act to legalize the incorporation of St. Charles, Madison county, and all the acts of its council passed since said town was incorporated, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that section 1 be amended to read as follows:

“Section 1. That all acts whatsoever which led to the incorporation of said town and all ordinances passed since May 15, 1876, not inconsistent with the laws

of Iowa, be and the same are hereby legalized as fully and completely as though the law governing such cases had been complied with in every particular.

Provided, however, that nothing contained in this act shall be construed to legalize a survey of said town made by order of the trustees thereof in 1891," and when so amended the bill do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 174, a bill for an act to amend section 3832 of the Code in relation to the publication of legal notices, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to the Committee on Printing.

M. W. HARMON,
Chairman.

So referred.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 211, a bill for an act to amend section 6, chapter 65, acts of the Twenty-first General Assembly, relative to the powers and duties of mutual benefit life insurance corporations and associations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Senator Conaway, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate File No. 180, a bill for an act to amend chapter 151, acts of the Eighteenth General Assembly, relating to the State board of health, beg leave to report that they have had the same under consideration, have amended the same, and have instructed me to report the same back to the Senate with the recommendation that they have substituted sections 3, 4, 5 and 6, and when so amended that the bill do pass.

A. B. CONAWAY,
Chairman.

Ordered passed on file.

Senator Brower asked leave to withdraw his resolution in regard to Senate file No. 3.

Leave granted and resolution withdrawn.

Substitute for Senate file No. 211 was read first and second times and ordered printed.

THIRD READING OF BILLS.

Senate file No. 189, a bill for an act to amend sections 2 and 3, chapter 34, acts of the Twenty-third General Assembly, relative to the catching of fish, was taken up and read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Boardman, Brower, Cheshire, Conaway, Dent, Downey, Everall, Finn, Funk, Garst, Gorrell, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lewis, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman—35.

The nays were:

Senators Bishop, Carpenter, Palmer, Perrin—4.

Absent or not voting:

Senators Andrews, Chantry, Craig, Dent, Downey, Eaton, Ellis, Green, Lehfeltdt, Mattoon, Oleson, Penrose, Yeomans—11.

So the bill passed and the title was agreed to.

Senate file No. 115, a bill for an act to provide for the proper interment of the remains of the pioneers on Okoboji and Spirit Lake, massacred by the Sioux Indians in 1857 and for the erection of a commemorative monument with report of committee recommending passage was taken up and considered.

Senator Kelly offered the following amendment:

Strike out of section 6 in the first line thereof, the following. "Hon. C. C. Carpenter, Hon. R. A. Smith, Hon. Charles Aldrich, Hon. John F. Duncombe, and Mrs. Abbie Gardner Sharpe is hereby appointed," and insert the following in lieu thereof: "Five members shall be appointed by the governor of the State."

Carried.

Senator Funk moved that the rule be suspended, and the bill as amended be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Boardman, Brower, Carpenter, Cheshire, Conaway, Craig, Eaton, Everall, Funk, Garst, Gorrell, Harmon, Harper, Harsh, Henderson, Jamison, Jewett, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman—35.

The nays were:

Senators Bishop, Downey, Finn, Kilburn—4.

Absent or not voting:

Senators Andrews, Chantry, Dent, Ellis, Green, Groneweg, Hipwell, Hurst, Kelly, Lehfeltdt, Yeomans—11.

So the bill passed and the title was agreed to.

Senator Cheshire asked leave to withdraw his motion to reconsider the vote by which Senate file No. 274 was ordered engrossed.

Leave granted and the motion withdrawn.

Senator Cheshire moved to substitute House file No. 442 for Senate file No. 274.

Carried.

Senator Cheshire moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Senators Andrews and Lehfeltdt were granted leaves of absence until Monday next.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Carpenter, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Funk, Garst, Gorrell, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Jamison, Jewett, Kelly, Kilburn, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman, Yeomans—41.

The nays were:

None.

Absent or not voting:

Senators Andrews, Brower, Chantry, Ellis, Everall, Finn, Green, Hurst, Lehfeltdt—9.

So the bill passed and the title was agreed to.

President Dungan in the chair.

On motion of Senator Harmon, Senate file No. 143, a bill for an act creating in certain cities of the first class a board of library trustees, defining the powers and prescribing the duties of such board with report of committee recommending amendments, and when so amended that same do pass was taken up, considered, and the report of the committee adopted.

Senator Harmon offered the following amendment:

Amend by inserting after the words, "consisting of" in the first section, the words, "not more than."

Adopted.

Senator Harmon moved that the bill as amended be engrossed.

Carried.

On motion of Senator Kilburn, Senate file No. 178, a bill for an act to limit the compensation of county recorders, and to require the payment of all excess of fees into the county treasury, and to require quarterly reports and annual settlements with the county board of supervisors, with report of committee recommending amendments, and when so amended that the same do pass, was taken up and considered.

The question being upon the concurrence in the amendments recommended by the committee.

Upon this the yeas and nays were demanded.

On the question, "Shall the committee amendments be concurred in?" the yeas were:

Senators Baldwin, Bishop, Conaway, Eaton, Everall, Finn, Funk,

Garst, Gorrell, Harmon, Harsh, Henderson, Jewett, Kilburn, Lewis, Mattoon, Oleson, Penrose, Perrin, Phelps, Rea, Reynolds, Waterman—23.

The nays were:

Senators Carpenter, Cheshire, Craig, Dent, Downey, Green, Groneweg, Harper, Hipwell, Hurst, Jamison, Kelly, Rigger, Rowen, Terry, Turner, Upton, Vale—18.

Absent or not voting:

Senators Andrews, Boardman, Brower, Chantry, Ellis, Lehfeldt, Palmer, Perry, Yeomans—9.

So the amendments were concurred in.

Senator Kilburn offered the following amendment:

Amend by adding to section 2, "but in no case shall the county pay for such deputy service more than it received from the fees of said office."

Adopted.

Senator Kelly offered the following amendment:

Strike out of section 1 all after the word "year" in the fifth line of said section.

Lost.

Senator Kilburn moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Cheshire, Craig, Dent, Eaton, Everall, Finn, Funk, Garst, Gorrell, Harmon, Harsh, Henderson, Jewett, Kilburn, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Vale, Waterman, Yeomans—28.

The nays were:

Senators Carpenter, Conaway, Dent, Groneweg, Harper, Hipwell, Hurst, Jamison, Kelly, Reynolds, Rigger, Turner, Upton—13.

Absent or not voting:

Senators Andrews, Brower, Chantry, Downey, Ellis, Green, Lehfeldt, Rowen, Terry—9,

So the bill passed and the title was agreed to.

Yesterday's journal was read, corrected and approved.

The president appointed as a committee to draft resolutions relative to the death of Hon. James W. McDill, Senators Harsh, Eaton and Perry.

Senator Terry moved that the Senate do now adjourn until 9 o'clock A. M. to-morrow.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, March 2, 1894. }

Senate met in regular session at 9 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. W. F. Harned, of Des Moines.

Senator Finn was granted a leave of absence.

PETITIONS AND MEMORIALS.

Senator Andrews presented petitions from policy holders in insurance companies of Perry, Iowa, asking amendments to Senate file No. 28.

Referred to Committee on Ways and Means.

Senator Mattoon presented petitions from insurance policy holders of West Union, Iowa, on same subject.

Same reference.

Senator Brower presented petitions from insurance policy holders of Clear Lake, Rockwell, and Portland, Iowa, on same subject.

Same reference.

Senator Terry presented petitions from insurance policy holders of Linn county on the same subject.

Same reference.

Senator Upton presented petitions from citizens of Lime Springs and Decorah, Iowa, on same subject.

Same reference.

Senator Jewett presented petitions from insurance policy holders of Northwood, Osage, Lake Mills, Forest City and Mitchell, Iowa, on same subject.

Same reference.

Senator Penrose presented a petition from insurance policy holders of Rockford, Illinois, on same subject.

Same reference.

Senator Everall presented petitions from insurance policy holders of Giard and McGregor on same subject.

Same reference.

Senator Kilburn presented a petition from insurance policy holders of Earlham, Iowa on same subject.

Same reference.

Senator Perrin presented a petition from insurance policy holders of Rockford, Iowa, on the same subject.

Same reference.

Senator Oleson presented a petition from insurance policy holders of Dayton, Iowa, on same subject.

Same reference.

Senator Harmon presented petitions from insurance policy holders of Lamont and Delhi, Iowa, on same subject.

Senator Bishop presented a petition from insurance policy holders of Sheldon, Iowa, and Kimball, South Dakota, on same subject.

Same reference.

Senator Rea presented a petition from insurance policy holders of Cedar Falls, Iowa, on same subject.

Same reference.

Senator Rowen presented petitions from insurance policy holders of Eagle Grove, Iowa, on same subject.

Same reference.

Senator Hipwell presented petitions from insurance policy holders of Scott county, Iowa, on same subject.

Same reference.

Senator Baldwin presented petitions from insurance policy holders of Dubuque, Iowa, on same subject.

Same reference.

Senator Harper presented petitions from citizens of Burlington, Iowa, on same same subject.

Same reference.

Senator Craig, presented petitions from insurance policy holders of Waverly, Iowa, on same subject.

Same reference.

Senator Phelps presented petitions from insurance policy holders of Atlantic, Iowa, on same subject.

Same reference.

Senator Groneweg presented a petition from insurance policy holders of Council Bluffs, Iowa, on same subject.

Same reference.

Senator Chantry presented petitions from insurance policy holders of Red Oak, Iowa, on same subject.

Same reference.

Senator Phelps presented a petition from T. H. Whitney and

twenty-one other property owners of Atlantic, Iowa, asking for the passage of House file No. 397.

Same reference.

Senator Mattoon presented a petition from citizens and dairymen of Allamakee county, asking passage of Senate file No. 221, a bill for an act to regulate the coloring of imitation butter and cheese.

Referred to Committee on Agriculture.

Senator Rea presented a petition from citizens of Black Hawk county, Iowa, on same subject.

Same reference.

Senator Perrin presented two petitions from citizens of Chickasaw county, on the same subject.

Same reference.

Senator Penrose presented a petition from citizens of Tama county on the same subject.

Same reference.

Senator Rowen presented petitions from citizens of Story, Pottawattamie, Linn and Des Moines counties, asking passage of a law raising the age of consent.

Referred to committee on Public Health.

Senator Rea presented petitions from citizens of Black Hawk county, Iowa, on same subject.

Same reference.

Senator Harper presented petitions from citizens of Des Moines county on same subject.

Same reference.

Senator Craig presented a petition from citizens of Butler county on same subject.

Same reference.

Senator Boardman presented petitions from citizens of Boone, Iowa, on same subject.

Same reference.

Senator Jamison presented petitions from citizens of Clarke county on same subject.

Same reference.

Senator Henderson presented a petition from citizens of Buena Vista county on same subject.

Same reference.

Senator Jewett presented petitions from citizens of Worth county on same subject.

Same reference.

Senator Upton presented petitions from citizens of Winneshiek county, Iowa, on same subject.

Same reference.

Also:

A petition from Christian Endeavor Society of Cresco, Iowa, asking for the passage of a law prohibiting the sale of tobacco to minors under sixteen years of age.

Same reference.

Senator Perrin presented petitions from citizens of Chickasaw county on same subject.

Same reference.

Senator Perry presented petitions from citizens of Iowa county on same subject.

Same reference.

Senator Turner presented petitions from citizens of Marshall county, Iowa, on same subject.

Same reference.

Senator Penrose presented petitions from citizens of Tama county on the same subject.

Same reference.

President of the Senate presented a series of resolutions from the colored citizens of Des Moines in mass convention assembled, relative to restaurant in capitol building.

Referred to Committee on Public Buildings.

Senator Jamison presented a petition from citizens of Cummins, Iowa, protesting against any legislation tending to lessen the suppressive force of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Perry presented petitions from citizens of Monroe county, Iowa, on same subject.

Same reference.

Senator Gorrell presented a petition from the W. C. T. U. of Newton, Iowa, on the same subject.

Same reference.

Senator Yeomans presented a petition from citizens of Sioux City, Iowa, asking passage of Senate file No 7.

Referred to Committee on Judiciary.

Senator Harmon presented a petition from citizens of Brazil and Diamond, Iowa, asking for passage of Senate files Nos. 149 and 164.

Referred to committee on Mines and Mining.

INTRODUCTION OF BILLS.

By Senator Garst, Senate file No. 332, a bill for an act to amend section 589 of the Code of 1873.

Read first and second times and referred to Committee on Judiciary.

By Senator Harper, Senate file No. 333, a bill for an act to repeal section 1623 of the Code and enact a substitute therefor.

Read first and second times and referred to Committee on Schools.

By Senator Dent, Senate file No. 334, a bill for an act to amend chapter 85, laws of the Twenty-second General Assembly.

Read first and second times and referred to Committee on Judiciary.

Senator Groneweg moved to take up for consideration his concurrent resolution relative to the pardon of Thomas Brooks.

Carried.

Report of committee was read.

On the question, "Shall the concurrent resolution be adopted?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Everall, Funk, Garst, Gorrell, Groneweg, Harmon, Harper, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Turner, Upton, Vale, Yeomans—41.

The nays were:

None.

Absent or not voting:

Senators Eaton, Ellis, Finn, Green, Harsh, Kilburn, Lehfeldt, Terry, Waterman—9.

So the resolution was adopted.

Senator Harsh, from the special committee appointed to draft resolutions relative to the death of the late James W. McDill, submitted the following report:

MR. PRESIDENT—Your committee appointed to draft suitable resolutions relative to the death of the late J. W. McDill ask leave to report as follows:

WHEREAS, Hon. James W. McDill died at his home in Creston, Iowa, on February 28, 1894; and

WHEREAS, The character and public services of Judge McDill are such as to command the respect and admiration of the people of this State, whom he has faithfully served for more than a quarter of a century; therefore be it

Resolved, That the Senate of Iowa learns with sincere regret of the death of this eminent jurist, statesman and scholar, and tender to his family the sympathy of this body.

Resolved, That the Secretary of the Senate cause an engrossed copy of these resolutions to be sent to Mrs. J. W. McDill at her home in Creston.

J. B. HARSH,

WILLIAM EATON,

T. B. PERRY,

Committee.

Senator Harsh moved that the resolutions be made a special order for Tuesday, March 20, 1894.

Carried.

Senator Conaway introduced the following concurrent resolution:

Resolved, by the Senate, the House concurring, That the President of the Senate and the Speaker of the House of Representatives of the Twenty-fifth General Assembly shall declare their respective houses adjourned *sine die* on Friday, March 23, 1894, at 12 o'clock noon.

Passed on file.

REPORTS OF COMMITTEES.

Senator Kelly, from Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate file No. 143, a bill for an act creating a board of library trustees, defining the powers and prescribing the duties of such board, and find the same correctly engrossed.

M. J. KELLY,
Chairman.

Senator Harmon, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 163, a bill for an act to amend section four thousand two hundred and seventy-five (4275) of the Code, as amended by chapter thirty-eight, laws of the Twenty-second General Assembly, relating to grand jurors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that section 1 be amended so as to read as follows:

"SECTION 1. That section 4275 of the Code of Iowa as amended by chapter thirty-eight (38) of the acts of the Twenty-second General Assembly, be and the same is hereby amended as follows: That the words, "that in counties having a population as shown by the last preceding census of twenty thousand or over," be stricken out," and that when so amended the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 61, a bill for an act providing the manner the county treasurer and county auditor shall keep the accounts and make settlements relating to the county revenue, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to the Committee on Ways and Means.

M. W. HARMON,
Chairman.

So referred.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 168, a bill for an act entitled an act to confer upon women the privilege of

voting at school elections, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed, for the reason that the legislature has no authority under the constitution to grant the rights contemplated.

M. W. HARMON,
Chairman.

Re-referred to Judiciary Committee.

Senator Brower, from the Committee on Railroads, submitted the following report:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred Senate file No. 277, a bill for an act to amend section 2178 of the Code, in relation to the sale of property of carriers and others for charges, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that as amended it do pass.

N. V. BROWER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred House file No. 307, a bill for an act to protect persons and property from danger at grade crossings of one railroad over another, or over swing or draw bridges and at junction points, by providing safety devices thereat, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it pass.

N. V. BROWER,
Chairman.

Ordered passed on file.

Senator Vale, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 223, a bill for an act to provide for the restriction and suppression of hog cholera and serious plagues in the State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows in the printed bill, viz.: At the end of the first section add the words, "as for other services;" section 4, end of third line, change "fifty" to "twenty-five;" section 5, insert after the word "shall" in the second, third and fifth lines, each, the word "knowingly;" also change "fifty" to "twenty-five" in the sixth line, and change "ninety" to "thirty" in the seventh line, and strike out all after the word "days" in the seventh line. In section seven, line 2, fill the blank after the word "of" with "one," and insert "annually" after the word "dollars" in the same line; also strike out section 8, and when so amended that the bill do pass.

B. R. VALE,
Chairman.

Ordered passed on file.

Senator Cheshire, from the Committee on Labor, submitted the following report:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate

file No. 78, a bill for an act to provide free public employment offices beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by striking out all of section 6 thereof; also by striking out all of that part of section 8 in the fourth line thereof; also by changing the number of section 7 to 6, section 8 to 7, section 9 to 8 and section 10 to 9, and that the bill as amended do pass.

THOMAS A. CHESHIRE,
Chairman.

Ordered passed on file.

Senator Palmer, from the Committee on Constitutional Amendments and Suffrage, submitted the following report:

MR. PRESIDENT—Your Committee on Constitutional Amendments and Suffrage, to whom was referred joint resolution No. 5, to amend the constitution of the State of Iowa relative to the manufacture and sale and keeping for sale of all intoxicating liquors, beg leave to report that they have had the same under consideration and the majority have instructed me to report the same back to the Senate with the recommendation that it be adopted.

D. J. PALMER,
Chairman.

Ordered passed on file.

Senator Upton, from the Committee on Printing, submitted the following report:

MR. PRESIDENT—Your Committee on Printing, to whom was referred Senate file No. 256, a bill for an act to require the official publication of the proceedings of the school boards of independent school districts in cities of the first and second class, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

C. C. UPTON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Printing to whom was referred House file No. 257, a bill for an act to require the official publication of the proceedings of the councils of incorporated cities and towns, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

C. C. UPTON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Printing, to whom was referred Senate file No. 271, a bill for an act to amend section 307, of the Code of 1873, as amended by section 2, chapter 197, of the Twentieth General Assembly, and section 2, chapter 86, of the Twenty-first General Assembly, beg leave to report that they

have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

C. C. UPTON,
Chairman.

Ordered passed on file.

Senator Rea, from the Committee on Fish and Game, submitted the following report.

MR. PRESIDENT—Your Committee on Fish and Game, to whom was referred House Resolution No. 7, covering into the State treasury certain moneys unexpended by the fish commissioner, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. M. REA,
Chairman.

Ordered passed on file.

BILLS ON THIRD READING.

Senate file No. 143, a bill for an act creating in certain cities of the first class a board of library trustees, defining the powers and prescribing the duties of such board, was taken up and read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Everall, Funk, Garst, Gorrell, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman, Yeomans—43.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Chantry, Ellis, Finn, Green, Lehfelddt, Mattoon—7.

So the bill passed and the title was agreed to.

Senator Lewis moved that Senate file No. 109 be referred to Committee on Banks and Banking.

Carried.

On motion of Senator Lewis, Senate file No. 122, a bill for an act providing for the better security of state banks, with report of committee recommending amendments, and when so amended that the same do pass, was taken up, considered, and the report of the committee adopted.

Senator Lewis moved to amend by striking out the word "any" in the ninth line of section 3.

Carried.

Senator Oleson offered the following amendment:

Amend by adding:

SEC. 5. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State *Register* and Des Moines *Leader*, newspapers published at Des Moines, Iowa.

Carried.

Senator Perry moved to amend by striking out the word "amongst" in the first line of section 4.

Carried.

Senator Perry moved to strike out the word "a" in the third line of section 4 and insert in lieu thereof the word "every."

Carried.

Senator Kelly offered the following substitute for section 4:

SEC. 4. The board of directors or trustees of such bank shall examine the condition of the bank at least once in six months, and have said report recorded in the minute book of the bank.

Upon this the yeas and nays were demanded.

Senator Jamison in the chair.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Andrews, Baldwin, Bishop, Dent, Downey, Groneweg, Harmon, Hipwell, Kelly, Mattoon, Palmer, Perry, Rea, Rigger, Terry, Waterman—16.

The nays were:

Senators Boardman, Chantry, Cheshire, Conaway, Craig, Eaton, Funk, Garst, Gorrell, Harper, Harsh, Jewett, Kilburn, Lewis, Oleson, Perrin, Phelps, Reynolds, Turner, Vale—20.

Absent or not voting:

Senators Brower, Carpenter, Ellis, Everall, Finn, Green, Henderson, Hurst, Jamison, Lehfeltdt, Penrose, Rowen, Yeomans, Upton—14.

So the amendment was lost.

Senator Andrews offered the following amendment:

Add to section 4: "And that such report shall be published in a newspaper in a county where such bank is located, and for failure to publish such report the members of the board of electors or trustees shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not to exceed \$100.00 for each offense.

Lost.

Senator Garst offered the following amendment:

Strike out the words "less than two nor," in eighth line of section 3.

Senator Kelly moved to amend the amendment by striking out the word "two" and inserting in lieu thereof the word "one."

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment to the amendment pass?" the yeas were:

Senators Andrews, Bishop, Chantry, Dent, Gorrell, Henderson, Kelly, Perrin, Perry, Waterman—10.

The nays were:

Senators Boardman, Carpenter, Cheshire, Conaway, Downey, Eaton, Everall, Garst, Groneweg, Harmon, Harper, Harsh, Hipwell, Jewett, Lewis, Mattoon, Oleson, Palmer, Phelps, Rea, Reynolds, Rigger, Terry, Turner, Upton, Vale, Yeomans—27.

Absent or not voting:

Senators Baldwin, Brower, Craig, Ellis, Finn, Funk, Green, Hurst, Jamison, Kilburn, Lehfelddt, Penrose, Rowen—13.

So the amendment to the amendment was lost.

The question being upon the original motion to amend offered by Senator Garst.

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Andrews, Bishop, Boardman, Carpenter, Cheshire, Conaway, Craig, Dent, Downey, Everall, Garst, Harmon, Harper, Hipwell, Mattoon, Penrose, Rea—17.

The nays were:

Senators Baldwin, Eaton, Funk, Gorrell, Groneweg, Harsh, Henderson, Jewett, Kelly, Kilburn, Lewis, Oleson, Palmer, Perry, Phelps, Reynolds, Rigger, Terry, Turner, Upton, Vale, Waterman, Yeomans—23.

Absent or not voting:

Senators Brower, Chantry, Ellis, Finn, Green, Hurst, Jamison, Lehfelddt, Perrin, Rowen—10.

So the amendment was lost.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following amended bill, in which the concurrence of the Senate is asked:

Senate file No. 184, a bill for an act to legalize the ordinances of the incorporated town of West Decorah, Iowa.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House

has passed the following concurrent resolution in which the concurrence of the Senate is asked:

Relative to the appointment of a commission to visit the cities and towns which are applicants for the location of a Hospital for the Insane.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to return to your honorable body the following bill, as requested by the Senate:

Senate file No. 21, a bill for an act in regard to the professional instruction of common school teachers in normal and high schools.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 163, a bill for an act defining the powers of railroad companies with reference to the securities of other companies.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the House was asked:

Senate file No. 254, a bill for an act to legalize the action of the school boards of the Independent District of Belle Plaine, Benton county, Iowa, relating to the levy of school taxes in 1893.

Senate file No. 266, a bill for an act to legalize the acts and ordinances of the incorporated town of Reinbeck, Grundy county, Iowa.

Senate file No. 117, a bill for an act to legalize the levy of taxes for 1893, in Carroll county, Iowa.

Senate file No. 113, a bill for an act to legalize the ordinances and resolutions of the incorporated town of Imogene, Fremont county, Iowa.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 471, a bill for an act to amend chapter 5, section 1660, of the Code of Iowa.

House file No. 199, a bill for an act to make an appropriation for the Iowa State Agricultural Society, for the encouragement of agriculture, horticulture, manufactures and other industries of the State of Iowa.

House file No. 184, a bill for an act to authorize the commissioners of the Iowa Soldiers' Home to grant right of way for an electric car line over State grounds.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 379, a bill for an act to legalize the incorporation and the acts of the town council of the town of Mediapolis, Des Moines county, State of Iowa.

House file No. 450, a bill for an act to legalize the incorporation of the town of Blockton, Taylor county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 203, a bill for an act to require the clerk of the district court to report to the county auditor all changes of title made by decree of court or by will.

House file No. 452, a bill for an act to legalize the acts of the board of directors of the independent district of Iowaville, Van Buren county, Iowa, and of the board of directors of the district township of Des Moines, in Jefferson county, Iowa, in relation to the transfer of territory from one district to the other for school purposes.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

A bill for an act to amend section 2, chapter 52, acts of the Nineteenth General Assembly, in relation to compensation of officers and employes of the General Assembly.

I. K. WILSON,
Chief Clerk.

Senator Carpenter offered the following amendment:

Strike out the words, "agent or clerk," in the first line of section 3.

Lost.

President Dungan in the chair.

Senator Lewis moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Craig, Downey, Eaton, Everall, Funk, Garst, Gorrell, Groneweg, Harmon, Harper, Harsh, Henderson, Jamison, Jewett, Kelly, Kilburn, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman, Yeomans—41.

The nays were:

Senator Dent—1.

Absent or not voting:

Senators Andrews, Conaway, Ellis, Finn, Green, Hipwell, Hurst, Lehfeldt—8.

So the bill passed and the title was agreed to.

The Governor's private secretary appeared and presented a

MESSAGE FROM THE GOVERNOR.

STATE OF IOWA,
EXECUTIVE OFFICE,
DES MOINES, March 1, 1894 }

MR. PRESIDENT—I am instructed by the Governor to inform you that he has approved, signed, and deposited in the office of the Secretary of State the following acts and joint resolutions:

Senate file No. 179, an act to amend section 3, of chapter 134, of the acts of the Twenty-first General Assembly, and to increase the number of District judges in the Ninth judicial district.

Senate file No. 231, an act to remove a cloud from the title to certain land for the relief of Dudley W. Adams.

Senate file No. 85, an act to restrain hunters from trespassing upon cultivated or enclosed lands without permission and providing penalties therefor.

Joint Resolution No. 11, relative to the improvement of the Missouri river near Council Bluffs, Iowa.

W. S. RICHARDS,
Private Secretary.

Senator Andrews moved that when the Senate adjourn it be until Tuesday, March 6th at 3 o'clock P. M.

Senator Funk moved to amend by inserting after the word "adjourn" the word "to-morrow."

Amendment lost.

The question being upon the original motion, the yeas and nays were demanded.

On the question, "Shall the Senate adjourn until Tuesday next at 3 o'clock P. M.?" the yeas were:

Senators Andrews, Bishop, Brower, Carpenter, Dent, Downey, Everall, Gorrell, Groneweg, Harmon, Harper, Henderson, Hipwell, Hurst, Jamison, Kelly, Mattoon, Oleson, Perry, Rowen, Terry, Turner, Upton, Yeomans—24.

The nays were:

Senators Baldwin, Chantry, Cheshire, Eaton, Funk, Garst, Harsh, Kilburn, Lewis, Phelps, Rikken, Vale—12.

Absent or not voting:

Senators Boardman, Conaway, Craig, Ellis, Finn, Green, Jewett, Lehfelddt, Palmer, Fenrose, Perrin, Rea, Reynolds, Waterman—14.

So the motion to adjourn prevailed.

Senator Dent moved to take up House messages.

Carried.

HOUSE MESSAGES.

House file No. 379, a bill for an act to legalize the incorporation and acts of the town council of Mediapolis, Des Moines county, State of Iowa, was read first and second times and on motion of Senator Harper was passed on file.

House file No. 450, a bill for an act to legalize the incorporation of the town of Blockton, Taylor county, the election of its officers, and all acts done and ordinances passed by the council of said town, was read first and second times.

Senator Harsh moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Everall, Funk, Garst, Gorrell, Groneweg, Harmon, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman, Yeomans—42.

The nays were:

None.

Absent or not voting:

Senators Andrews, Brower, Ellis, Finn, Green, Harper, Lehfeldt, Mattoon—8.

So the bill passed and the title was agreed to.

House file No. 452, a bill for an act to legalize the acts of the board of directors of the independent district of Iowaville, Van Buren county, Iowa, and of the board of directors of district township of Des Moines in Jefferson county, Iowa, in relation to the transfer of territory from one district to the other for school purposes, was read first and second times and referred to Committee on Judiciary.

House file No. 203, a bill for an act to require the clerk of the district court to report to the county auditor all changes of title made by decree of court or by will, was read first and second times and referred to Committee on Judiciary.

House file No. 471, a bill for an act to amend chapter 5, section 1660 of the Code of Iowa, was read first and second times and referred to Committee on Judiciary.

House file No. 199, a bill for an act to make an appropriation for the Iowa State Agricultural Society for the encouragement of agriculture, horticulture, manufactures and other industries of the State of Iowa, was read first and second times and referred to Committee on Appropriations.

House file No. 184, a bill for an act to authorize the commissioners of the lands of the Soldiers' Home to grant right of way for an electric car line over State grounds, was read first and second times and referred to Committee on Public Lands.

Senator Dent moved that House concurrent resolution relative to commission to locate insane asylum be taken up for consideration.
Carried.

HOUSE CONCURRENT RESOLUTION RELATIVE TO A COMMISSION TO LOCATE AN
INSANE ASYLUM.

Resolved by the House, the Senate concurring, That a commission be constituted consisting of the superintendents of the hospitals for the insane located at Independence, Mt. Pleasant and Clarinda, and the chairman of the committee to visit the hospitals for the insane. It shall be the duty of said commissioners upon invitation and guarantee of expenses by the cities to be visited, to visit such cities and towns as they may deem advisable in northwest Iowa which are applicants for the location of a hospital for the insane, and to report to this General Assembly before the vote is taken by said assembly for the location of such hospital, as to the advantages and disadvantages of each city and town so visited, and to include in said report especially the drainage, water supply, railway facilities and accessibility in territory from which patients will be drawn. The expenses of said commission shall be paid by the cities and towns visited under such conditions as the said commission may determine. All to be done without expense to the State.

Adopted.

Senate file No. 184 was returned, amended, from the House and was referred to Committee on Judiciary.

Yesterday's journal was read, corrected and approved.

Senator Kelly moved that the Senate do now adjourn

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, March 6, 1894. }

Senate met pursuant to adjournment at 3 o'clock P. M., and was called to order by President Dungan.

Prayer was offered by Rev. James Small, of Des Moines.

PETITIONS AND MÉMORIALS.

Senator Andrews presented petitions from policy holders in insurance companies of Panora, Stuart and DeSota, Iowa, asking amendments to Senate file No. 28.

Referred to Committee on Ways and Means.

Senator Baldwin presented petitions from insurance policy holders of Dubuque and New Vienna, Iowa, on same subject.

Same reference.

Senator Bishop presented petitions from insurance policy holders of Sheldon and Primghar, Iowa, on same subject.

Same reference.

Senator Boardman presented a petition from insurance policy holders of Boone, Iowa, on same subject.

Same reference.

Senator Chantry presented petitions from insurance policy holders of Red Oak and Glenwood, Iowa, on same subject.

Same reference.

Senator Cheshire presented a petition from insurance policy holders of Des Moines, Iowa, on same subject.

Same reference.

Senator Craig presented petitions from insurance policy holders of Butler and Bremer counties, Iowa, on same subject.

Same reference.

Senator Dent presented a petition from insurance policy holders of Struble, Iowa, on same subject.

Same reference.

Senator Everall presented petitions from insurance policy holders of Clayton county on same subject.

Same reference.

Senator Finn presented a petition from insurance policy holders of Corning, Iowa, on same subject.

Same reference.

Senator Gorrell presented a petition from tax-payers of Jasper county asking passage of a law assessing all property at actual cash value.

Same reference.

Senator Green presented petitions from insurance policy holders of Jones and Cedar counties Iowa, on same subject.

Same reference.

Senator Harmon presented petitions from insurance policy holders of Manchester and Independence, Iowa, on same subject.

Same reference.

Senator Kilburn presented a petition from insurance policy holders of Earlham, Iowa, on same subject.

Same reference.

Senator Mattoon presented petitions from insurance policy holders of Wadena, Iowa, on same subject.

Same reference.

Senator Oleson presented a petition from insurance policy holders of Ft. Dodge, Iowa, on same subject.

Same reference.

Senator Perrin presented a petition from insurance policy holders of Nashua, Iowa, on same subject.

Same reference.

Senator Rea presented petitions from insurance policy holders of Waterloo, Grundy Center and Eldora, Iowa, on same subject.

Same reference.

Senator Rowen presented a petition from insurance policy holders of Webster City, Iowa, on same subject.

Same reference.

Senator Upton presented petitions from citizens of Cresco and Elma, Iowa, on same subject.

Same reference.

Senator Funk presented petitions from insurance policy holders of Spirit Lake, Algona, Emmetsburg, Spencer and Decorah, Iowa, on same subject.

Same reference.

Senator Bishop presented petitions from citizens of O'Brien county asking passage of a law raising the age of consent.

Referred to Committee on Public Health.

Senator Brower presented petitions from citizens of Mason City, Iowa, on same subject.

Same reference.

Senator Conaway presented petitions from students and citizens of Blackhawk and Floyd counties on the same subject.

Same reference.

Senator Eaton presented petitions from citizens of Fremont county, Iowa, on same subject.

Same reference.

Senator Green presented petitions from citizens of Jones county, Iowa, on same subject.

Same reference.

Senator Mattoon presented petitions from citizens of Clearmont, Iowa, on same subject.

Same reference.

Senator Oleson presented a petition from citizens of Webster county, Iowa, on same subject.

Same reference.

Senator Penrose presented petitions from citizens of Tama county on same subject.

Same reference.

Senator Hipwell presented petitions from citizens of Davenport, Iowa, on same subject.

Same reference.

Senator Gorrell presented a petition from 172 citizens of Jasper county, Iowa, on same subject.

Same reference.

Senator Rea presented a petition from L. J. Beach and sixteen other citizens of Black Hawk county, Iowa, on same subject.

Same reference.

Senator Reynolds presented petitions from citizens of Appanoose county on same subject.

Same reference.

Senator Rowen presented petitions from citizens of Hardin, Marshall, Linn and Des Moines counties on same subject.

Same reference.

Senator Rigger presented petitions from citizens of What Cheer, Keokuk county, on same subject.

Same reference.

Senator Turner presented petitions from citizens of Marshall county on same subject.

Same reference.

Senator Upton presented petitions from citizens of Winneshiek county, Iowa, on same subject.

Same reference.

Senator Vale presented a petition from citizens of Van Buren county on same subject.

Same reference.

Senator Everall presented a petition from citizens and dairymen of Clayton county, asking passage of Senate file No. 221, a bill for an act to regulate the coloring of imitation butter and cheese.

Referred to Committee on Agriculture.

Senator Garst presented a petition from seventy-three citizens of Halbur, Iowa, on same subject.

Same reference.

Senator Kilburn presented petition from citizens of Adair county, on same subject.

Same reference.

Senator Lewis, presented a petition from P. M. Phillips and one hundred and twenty-one others, of Wayne county, on the same subject.

Same reference.

Senator Oleson presented petitions from citizens of Webster City and Grand Junction, Iowa, on same subject.

Same reference.

Senator Boardman presented petitions from G. W. Berry and fifty-seven other citizens of Grundy county, Iowa, on same subject.

Same reference.

Senator Riggen presented petitions from citizens of Sigourney and Keota, Iowa, on same subject.

Same reference.

Senator Rowen presented petitions from citizens of Wright and Hamilton counties, Iowa, on same subject.

Same reference.

The Secretary of the Senate read a petition from 150 citizens of Delaware county on same subject.

Same reference.

Senator Upton presented petitions from citizens of Winneshiek county, Iowa, on same subject.

Same reference.

Senator Cheshire presented a petition from citizens of Polk county protesting against any legislation to extend the liquor traffic to any portion of the State.

Referred to Committee on Suppression of Intemperance.

Also:

Resolutions from the Highland Park Republican club on same subject.

Same reference.

Senator Eaton presented a petition from citizens of Fremont county on same subject.

Same reference.

Senator Gorrell presented a petition from citizens of Jasper county on same subject.

Same reference.

Senator Henderson presented a petition from citizens of Humboldt county on same subject.

Same reference.

Senator Lewis presented resolutions from citizens of Lucas county on same subject.

Same reference.

Senator Palmer presented a petition from 284 citizens of Washington county on same subject.

Same reference.

Senator Penrose presented petitions from citizens of Tama county on same subject.

Same reference.

Senator Reynolds presented a petition from citizens of Appanoose county on same subject.

Same reference.

Senator Rowen presented a petition from citizens of Wright county on same subject.

Same reference.

Senator Turner presented a petition from 216 citizens of Marshall county on same subject.

Same reference.

Senator Vale presented petitions from citizens of Van Buren and Jefferson counties on same subject.

Same reference.

Senator Craig presented a petition from fifty-seven citizens of Shell Rock, Iowa, asking passage of Senate file No. 103.

Referred to Committee on Banks and Banking.

Senator Everall presented a series of resolutions from citizens and tax-payers of Sioux City, favoring legislation regulating compensation of sheriffs, etc.

Referred to Committee on Compensation of Public Officers.

Senator Lewis presented a petition from citizens of Wayne county, asking an appropriation of \$25,000 for the State Agricultural Society.

Referred to Committee on Appropriations.

Senator Oleson presented a petition from citizens of Ft. Dodge, asking passage of a law restraining hunters.

Referred to Committee on Fish and Game.

Senator Perrin presented a series of resolutions from Charles City Post No. 3, G. A. R., in relation to soldiers' monument. Resolutions were read and referred to Committee on Military.

Senator Rea presented a series of resolutions from Grundy County Farmers Institute protesting against change in road laws.

Referred to Committee on Highways.

Senator Upton presented a petition from Winneshiek County Farmers Institute asking change in road laws.

Same reference.

INTRODUCTION OF BILLS.

By Senator Baldwin, by request, Senate file No. 335, a bill for an act to provide for the education of deaf and dumb children in eastern Iowa.

Read first and second times and referred to Committee on Educational Institutions.

By Senator Brower, Senate file No. 336, a bill for an act to legalize an election held for officers of the incorporated town of Goodell, Hancock county, Iowa, and also to legalize ordinances passed by said town.

Read first and second times and referred to Committee on Judiciary.

By Senator Conaway, Senate file No. 337, a bill for an act to amend chapter 104 of the acts of the Twenty-first General Assembly, in relation to medicine and surgery.

Read first and second times and referred to Committee on Public Health.

By Senator Dent, Senate file No. 338, a bill for an act to make an appropriation for the further care of insane.

Read first and second times and referred to Committee on Appropriations.

By Senator Garst, Senate file No. 339, a bill for an act to amend chapter 1 of title 9 of the Code as amended by chapter 86, acts of the Twenty-second General Assembly.

Read first and second times and referred to Committee on Corporations.

By Committee on Ways and Means, Senate file No. 340, a bill for an act to revise and amend revenue and taxation laws of this State, and to provide for taxing inheritances, and for collecting a special tax on corporation franchises; amendatory of Code, title 4, chapter 9, relating to townships and township officers; title 5, chapter 5, relating to qualification for office; title 6, chapters 1 and 2, relating respectively to the assessment and to the collection of taxes; title 10, chapter 5, pertaining to railroads, and title 3, chapter 2, pertaining to the

compensation of county and township officers; and chapter 60 of the acts of the Fifteenth General Assembly, relating to saving banks, and various other statutes.

Read first and second times and passed on file.

By Senator Henderson, Senate file No. 341, a bill for an act to repeal section 25,804 of the Code and enact a substitute therefor, relating to venues in actions aided by attachment.

Read first and second times and referred to Committee on Judiciary.

By Senator Hipwell, Senate file No. 342, a bill for an act to amend section 529 of the code, relating to ferries.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Kilburn, by request, Senate file No. 343, a bill for an act relating to the appointment of marshals and deputy marshals in cities of the second class.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Rea, Senate file No. 344, a bill for an act to legalize the incorporation of the town of Beaman, Grundy county, Iowa, the election of its officers, and all the acts done and the ordinances passed by the council of said town.

Read first and second times and referred to Committee on Judiciary.

Senator Harsh asked that 700 extra copies of Senate file No. 340 be printed.

It was so ordered.

Senator Everall introduced the following resolution:

Resolved, That the Senate hold an evening session Friday, March 9, 1894, at 7:30 o'clock, for the purpose of taking up legalizing acts, purely local measures and bills recommended for indefinite postponement where there are no objections.

Adopted.

Senator Kelly was granted a leave of absence to-day on account of sickness, and Senator Jewett for to-morrow.

REPORTS OF COMMITTEES.

Senator T. B. Perry, from the Committee on Public Lands, submitted the following report:

MR. PRESIDENT—Your Committee on Public Lands, to whom was referred House file No. 9, a bill for an act for the relief of the grantees of Antonie Klein, and for the purpose of having a patent issued in his name for a certain tract of land, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it

T. B. PERRY,
Chairman.

Ordered passed on file.

Senator Lewis, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 204, a bill for an appropriation for the Benedict Home at Decorah, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

L. W. LEWIS,
Chairman.

Ordered passed on file.

Senator Carpenter, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House file No. 237, a bill for an act to amend chapter 167, laws of 1882, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

C. A. CARPENTER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House file No. 279, a bill for an act to amend section 1 of chapter 24, laws of the Twenty-third General Assembly, with regard to the purchase and sale of text-books, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

C. A. CARPENTER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House file No. 311, a bill for an act to amend section 1729 of the Code of 1873, requiring boards of directors to provide and keep in good repair suitable water closets or privies in connection with all public school buildings, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

C. A. CARPENTER,
Chairman.

Ordered passed on file.

Senator Waterman, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 315, a bill for an act applying sections 318 and 319 of the Code to municipal corporation taxes levied under section 3049 of the Code, and chapter 57 of the acts of the Sixteenth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back

to the Senate with the recommendation that the committee bill be substituted in lieu of said bill, and that said substitute do pass.

H. L. WATERMAN,
Chairman.

Substitute read first and second times and passed on file.

Senator Boardman, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate file No. 282, a bill for an act to protect county bridges against stock driven over the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out the word "ten" in the second line of section two and insert in lieu thereof the word "five," and when so amended that it do pass.

H. C. BOARDMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred substitute for House file No. 36, a bill for an act to provide for the payment of the expense of establishing highways in certain cases, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. C. BOARDMAN,
Chairman.

Ordered passed on file.

Senator Craig, from the Committee on Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred Senate file No. 170, a bill for an act amendatory of section 20, chapter 65, acts of the Twenty-first General Assembly, and providing against deception by agents of benefit assessment associations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

GEO. M. CRAIG,
Chairman.

Ordered passed on file.

Senator Upton, from the Committee on Printing, submitted the following report:

MR. PRESIDENT—Your Committee on Printing, to whom was referred House file No. 174, a bill for an act to amend section 3832 of the Code, in relation to the publication of legal notices, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

C. C. UPTON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Printing, to whom was referred Senate file No. 314, a bill for an act to provide for the publication and distribution of the proceedings of the Iowa State Teachers' Association, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

C. C. UPTON,
Chairman.

Ordered passed on file.

Senator Harsh, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to which was referred Senate file No. 28, a bill for an act to revise and amend revenue and taxation laws of this State: Amendatory of Code, title IV, chapter 9, relating to townships and township officers; title V, chapter 5, relating to qualification for office; title VI, chapters 1 and 2, relating respectively to the assessment and to the collection of taxes; title X, chapter 5, pertaining to railroads, and title XXIII, chapter 2, pertaining to the compensation of county and township officers; and chapter 60, of the acts of the Fifteenth General Assembly, relating to savings banks, and Senate file No. 46, a bill for an act to revise and amend revenue and taxation laws of this State: Amendatory of Code, title IV, chapter 9, relating to townships and township officers; title V, chapter 5, relating to qualification for office; title VI, chapters 1 and 2, relating respectively to the assessment and to the collection of taxes; title X, chapter 5, pertaining to railroads; and title XXIII, chapter 2, pertaining to the compensation of county and township officers; and chapter 60 of the acts of the Fifteenth General Assembly, relating to savings banks; chapter 163, acts Sixteenth General Assembly, relating to taxation of mutual loan and building associations; chapters 59 and 114, acts Seventeenth General Assembly, relating to taxation and assessment of telegraph lines, sleeping and dining cars; chapter 57, acts Eighteenth General Assembly, relating to relief of manufacturers from double taxation; chapter 74, acts Twentieth General Assembly, concerning election of assessors in cities existing under special charters; chapter 39, acts Twenty-third General Assembly, relating to taxation of shares of stock of banking associations; to provide for collection of an inheritance tax in special cases; to provide for collection of franchise tax from corporations and for taxation of foreign insurance companies in special cases, has instructed me to report the same back to the Senate with the recommendation that they be indefinitely postponed for the reason that their principal features are embodied in a bill of the Committee, which the Committee has instructed me to introduce in the Senate, with the recommendation that it do pass. The Committee bill referred to is Senate file No. 340.

J. B. HARSH,
Chairman.

Senator Finn asked that Senate file No. 331 be referred to Committee on Suppression of Intemperance.

It was so ordered.

Senator Funk, from the special committee appointed to visit the State University, submitted report.

Ordered printed and passed on file.

On motion of Senator Waterman, Senate file No. 205, a bill for an act to amend chapter 197 of the acts of the Twentieth General Assembly, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

Senator Waterman asked unanimous consent to change committee report so as to read "in lines twelve and thirteen."

Leave granted.

Senator Waterman moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Everall, Finn, Funk, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Kilburn, Lehfeldt, Lewis, Oleson, Palmer, Penrose, Perry, Phelps, Rea, Reynolds, Rikken, Rowen, Turner, Upton, Vale, Waterman—37.

The nays were:

None.

Absent or not voting:

Senators Andrews, Eaton, Ellis, Garst, Gorrell, Green, Groneweg, Jewett, Kelly, Mattoon, Perrin, Terry, Yeomans—13.

So the bill passed and the title was agreed to.

Journal of March 2 was read, corrected and approved.

Senator Jamison moved that the Senate do now adjourn until 9 o'clock A. M. to-morrow.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, March 7, 1894. }

Senate met in regular session at 9 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. Wm. Gardner, of Des Moines.

PETITIONS AND MEMORIALS.

Senator Bishop presented petitions from policy holders in insurance companies of Sheldon and Ireton, Iowa, asking amendments to Senate file No. 28.

Referred to Committee on Ways and Means.

Senator Penrose presented a petition from insurance policy holders of Vinton, Waukon, Belle Plaine and Toledo, Iowa, on same subject.

Same reference.

Senator Rowen presented a petition from insurance policy holders of Eldora and Webster City, Iowa, on same subject.

Same reference.

Senator Terry presented a petition from insurance policy holders of Eli, Marshalltown, Cedar Rapids and Mt. Vernon, Iowa, on same subject.

Same reference.

Senator Harsh presented petitions from insurance policy holders of E. C. Musgrave, of Des Moines, Iowa, on same subject.

Same reference.

Senator Brower presented a petition from citizens and dairymen of Cerro Gordo county, asking passage of Senate file No. 221, a bill for an act to regulate the coloring of imitation butter and cheese.

Referred to Committee on Agriculture.

Senator Green presented petitions from citizens of Jones county, Iowa, on same subject.

Same reference.

Senator Terry presented petitions from citizens of Linn county on same subject.

Same reference.

Senator Waterman presented petitions from citizens of Wapello county on same subject.

Same reference.

Senator Carpenter presented petition from ministerial association of Louisa county asking passage of a law raising the age of consent.

Referred to Committee on Public Health.

Senator Everall presented petitions from citizens of Clayton county, Iowa, on same subject.

Same reference.

Senator Perrin presented a petition from twenty citizens of Fredericksburg, Iowa, on same subject.

Same reference.

Senator Reynolds presented petitions from citizens of Appanoose county on same subject.

Same reference.

Senator Rigger presented a petition from citizens of his senatorial district on same subject.

Same reference.

Senator Waterman presented petitions from citizens of Wapello county, Iowa, on same subject.

Same reference.

Senator Perrin presented a petition of twenty-nine citizens of Fredericksburg, Iowa, protesting against the passage of any law whereby the payment of money shall act as a bar to prosecutions for violation of prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Vale presented a petition from W. B. Murray and sixty other voters and eighty-five non-voters of Jefferson county, protesting against modification of prohibitory law.

Same reference.

Senator Reynolds presented the following.

MR. PRESIDENT—The undersigned members of your Committee on Mines and Mining respectfully request you to ask that Senate file No. 287 be referred to the Committee on Judiciary, to report it back one week from to-day.

WARREN GARST,
B. B. VALE,
L. W. LEWIS,
A. B. CONAWAY,
J. A. RIGGEN.

INTRODUCTION OF BILLS.

By Senator Hurst, Senate file No. 345, a bill for an act to make February 22d a legal holiday in the State of Iowa, and closing all schools on that day.

Read first and second times and referred to Committee on Schools.

By Senator Henderson, Senate file No. 346, a bill for an act to fix the number of senators in the General Assembly, apportioning them among the several counties, according to the number of inhabitants in each, and dividing the State into senatorial districts.

Read first and second times and referred to Committee on Senatorial and Representative Districts.

By Senator Henderson, Senate file No. 347, a bill for an act to apportion the State into representative districts and declare the ratio of representation.

Read first and second times and referred to Committee on Senatorial and Representative Districts.

Senator Reynolds moved that Senate file No. 287 be re-referred to Committee on Judiciary, and that it retain its place on the calendar.

Senator Rikken moved to amend by making time to report back one week from to-day.

Amendment accepted.

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?"

The yeas were:

Senators Andrews, Bishop, Carpenter, Chantry, Conaway, Craig, Downey, Ellis, Everall, Finn, Funk, Garst, Green, Harmon, Harper, Henderson, Jewett, Lehfelddt, Lewis, Oleson, Palmer, Penrose, Perrin, Rea, Reynolds, Rikken, Rowen, Turner, Upton, Vale, Waterman—31.

The nays were:

Senators Baldwin, Cheshire, Groneweg, Harsh, Perry, Phelps, Terry, Yeomans—8.

Absent or not voting:

Senators Boardman, Brower, Dent, Eaton, Gorrell, Hipwell, Hurst, Jamison, Kelly, Mattoon, Kilburn—11.

So the amendment was adopted.

Senator Rikken offered the following explanation of his vote:

MR. PRESIDENT—In explanation of my vote, I wish to say that while I am in favor of the bill there seems to be some doubt of its constitutionality. I, therefore, vote "aye."

J. A. RIKKEN.

Senator Reynolds offered the following explanation of his vote:

MR. PRESIDENT—I believe that to have this bill re-referred to the Judiciary Committee, with the understanding that it will not lose its place on the calendar and be reported back in one week from to-day, will not delay action on the measure. I vote "aye."

E. M. REYNOLDS.

Senator Funk introduced the following resolution and moved its adoption:

Resolved, That on and after Monday, March 12th, two sessions of the Senate be held daily, the afternoon session opening at 2 o'clock.

Adopted.

REPORTS OF STANDING COMMITTEES.

Senator Harmon, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 452, a bill for an act to legalize the acts of the board of directors of the independent district of Iowaville, Van Buren county, and of the board of directors of the district township of Des Moines, in Jefferson county, Iowa, in relation to the transfer of territory from one district to the other for school purposes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 332, a bill for an act to amend section 589 of the Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

M. W. HARMON,
Chairman.

Ordered passed on file.

Senator Funk, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate file No. 330, a bill for an act to allow the manufacture of spirituous, vinous and malt liquors within the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

A. B. FUNK,
Chairman.

Ordered passed on file.

Senator Harsh, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 152, a bill for an act to tax mineral estates when the surface and such mineral estates are owned by different parties, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, the

legislation contemplated therein having been made a part of Senate file No. 340 heretofore introduced by this committee.

J. B. HARSH.

Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 229, a bill for an act to repeal sections 906 and 907 of the Code of 1873, and chapter 62, acts of the Fifteenth General Assembly, and enacting a substitute therefor, relating to the collection of taxes, beg leave to report that it has had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, the object intended to be accomplished by the legislation proposed being attained under the provisions of Senate file No. 40, heretofore introduced by this committee.

J. B. HARSH,

Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 196, a bill for an act to amend section 836 of the Code of 1873, relating to State taxes, beg leave to report that it has had the same under consideration and has instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed, for the reason that the proposed legislation is embodied in Senate file No. 340, heretofore introduced by this committee.

J. B. HARSH.

Chairman.

Ordered passed on file.

Senator Turner, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 212, a bill for an act to define what shall constitute fraternal beneficiary societies, orders or associations; to provide for their incorporation and the regulation of their business, and for the punishment for violation of the provisions of the act of their incorporation, and to repeal all existing acts inconsistent therewith, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the words "affianced husband and affianced wife" in tenth and eleventh lines of section 1 be stricken out; that the word "with" be inserted between the words "officer" and "satisfactory" in the fifth line of section 3; that the words "grand or" be inserted between the words "any" and "subordinate" in the first line of section 8, and also between the words "such" and "subordinate" in the eleventh line of the same section; that between the words "meetings" and "and" in the fifteenth line of the same section, the following be inserted: "or in case of a grand body, then with the clerk of the county where its general office is located;" that the word "subordinate" be stricken out of lines 19, 20, 22, 25 and 28 of same section; that the words "or for a subordinate branch thereof" be stricken out of lines twelve and thirteen of section 13; also that the word "or" be inserted between the words "sickness" and "disability" in the sixth line of section 1, and that the words "or

old age" in the same line be stricken out, and that when so amended the bill do pass.

GEORGE A. TURNER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred House file No. 397, a bill for an act to declare void certain provisions in policies of fire insurance and to require the Auditor of State to refuse to authorize insurance companies whose policies contain such provisions to do business in this State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass, and further recommend that the bill be given and retain its place on the calendar, but that it be referred to the Judiciary Committee with instructions to report this week as to its constitutionality.

GEORGE A. TURNER,
Chairman.

So referred.

Senator Waterman, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 309, a bill for an act to amend chapter 1, of the acts of the Twenty-fourth General Assembly entitled "an act to establish a board of park commissioners in certain cities of the first class, for defining their powers and prescribing their duties," beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 318, a bill for an act to empower cities under special charters to levy a special tax for sweeping, sprinkling, cleaning and repairing paved streets and alleys, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the title of said bill be amended by inserting after the word "charter" in the first line thereof, the words "having a population of more than twenty thousand, by the census of 1885;" by inserting after the word "charters" in the first line of section 1 of said bill the words, "having a population of more than twenty thousand by the census of 1885," and that as so amended the bill do pass.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 317, a bill for an act to repeal chapter 14 of the laws of the Twenty-third General Assembly, as amended by chapter 9, laws of the Twenty-fourth General Assembly, relating to paving, curbing and sweeping in cities under special

charter, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

On motion of Senator Vale, Senate file No. 107, a bill for an act to amend sections 1 and 2 of chapter 40, acts of the Twenty-fourth General Assembly, relating to trimming osage orange hedge fences, with report of committee recommending a substitute and that the substitute do pass, was taken up, considered and the report of committee adopted.

Senator Vale asked that the substitute be read first and second times.

Substitute read.

Senator Vale offered the following amendment:

SEC. 3. All acts or parts of acts in conflict with this act are hereby repealed.

Adopted.

Senator Vale moved that the rule be suspended, and the bill be considered engrossed and read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Chantry, Cheshire, Conaway, Craig, Downey, Eaton, Everall, Finn, Funk, Garst, Gorrell, Green, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kilburn, Lehfeldt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman, Yeomans—45.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Dent, Ellis, Groneweg, Kelly—5.

So the bill passed.

Senator Lewis offered the following substitute for the title of Senate file No. 107.

A bill for an act relative to trimming Osage orange hedge fences, and repealing all acts and parts of acts in conflict therewith.

Adopted.

The title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House requests the return of the following:

First.—House file No. 311, a bill for an act to amend section 1729 of the Code of 1873, requiring boards of directors to provide and keep in good repair suitable water closets or privies in connection with all school buildings.

Second.—The concurrent resolution advising the Governor to pardon A. F. Hockett.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

House file No. 1 a bill for an act to protect the makers of notes.

House file No. 5, a bill for an act to create the Nineteenth judicial district.

I. K. WILSON,
Chief Clerk.

On motion of Senator Bishop, House file No. 3, a bill for an act providing for the suppression of the Russian thistle, so called, with report of committee recommending a substitute and that the substitute do pass, was taken up, considered, and the report of the committee adopted.

Senator Bishop moved that the rule be suspended, and the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Eaton, Ellis, Everall, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Jamison, Jewett, Kilburn, Lehfelddt, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Terry, Turner, Upton, Vale, Waterman, Yeomans—41.

The nays were:

None.

Absent or not voting:

Senators Brower, Dent, Downey, Finn, Hipwell, Hurst, Kelly, Mattoon, Rowen—9.

So the bill passed and the title was agreed to:

On motion of Senator Groneweg Senate file No. 127, a bill for an act to protect persons and property from danger at grade crossings of one railroad over another, or over swing and draw bridges, and at junction points, by providing for safety devices thereat, with report of committee recommending as a substitute House file 307, and that sub-

stitute do pass, was taken up, considered, and the report of the committee adopted.

Senator Groneweg asked for reading of committee report.

Report read.

Senator Groneweg moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Senator Perry in the chair.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Downey, Ellis, Everall, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Jamison, Jewett, Kilburn, Lehfeldt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Reynolds, Rigger, Rowen, Terry, Upton, Vale, Waterman, Yeomans—42.

The nays were:

None.

Absent or not voting:

Senators Dent, Eaton, Finn, Hipwell, Hurst, Kelly, Rea, Turner—8.

So the bill passed and the title was agreed to.

Senator Oleson moved that Senate file No. 216 be recalled from Judiciary Committee.

Carried.

On motion of Senator Harsh, House file No. 17, a bill for an act to prevent prize fighting, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Harsh offered the following amendment:

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its passage and publication in the Iowa State *Register* and Iowa State *Leader*, newspapers published at Des Moines, Iowa, as provided by law.

Adopted.

Senator Green offered the following amendment:

Amend section 1 by striking out the word "one" before the word "hundred," in the second line, and substitute therefor the word "three."

Lost.

Senator Harsh moved that the rule be suspended, and the bill as amended be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Carpenter, Chantry, Cheshire,

Conaway, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Jamison, Jewett, Kilburn, Lehfeldt, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman—41.

The nays were:

Senator Hurst—1.

Absent or not voting:

Senators Boardman, Brower, Craig, Dent, Hipwell, Kelly, Mattoon, Yeomans—8.

So the bill passed and the title was agreed to.

On motion of Senator Waterman, Senate file No. 206, a bill for an act authorizing township trustees to procure and control property for public use at the expense of their township, with report of committee recommending amendments, and that when so amended the same do pass, was taken up, considered, and the report of the committee adopted.

Senator Kilburn offered the following amendment:

Add to section 1 the words, "*provided*, that in any township having an incorporated town therein, a majority of the resident freeholders outside of said incorporated town shall sign said petition."

Adopted.

Senator Conaway moved to reconsider the vote by which the amendment offered by Senator Kilburn passed the Senate.

Lost.

Senator Waterman moved that the rules be suspended and the bill be considered engrossed and read a third time now as amended.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Chantry, Cheshire, Ellis, Everall, Funk, Gorrell, Green, Groneweg, Harmon, Harper, Henderson, Jamison, Jewett, Kilburn, Lehfeldt, Lewis, Palmer, Penrose, Perrin, Perry, Reynolds, Rigger, Turner, Upton, Vale, Waterman—28.

The nays were:

Senators Andrews, Conaway, Craig, Eaton, Garst, Mattoon, Phelps—7.

Absent or not voting:

Senators Boardman, Brower, Carpenter, Dent, Downey, Finn, Harsh, Hipwell, Hurst, Kelly, Oleson, Rea, Rowen, Terry, Yeomans—15.

So the bill passed and the title was agreed to.

Senator Lewis offered the following resolution and moved its adoption:

Resolved, That the Committee on Ways and Means be requested to report to the Senate within three days an estimate of the amount of money available for extraordinary appropriations by the Twenty-fifth General Assembly under existing laws.

Adopted.

On motion of Senator Oleson Senate file No. 216 was referred to Committee on Agriculture.

On motion of Senator Everall, House file No. 77, a bill for an act to exempt poultry from attachment and execution, with report of committee recommending amendments and when so amended the same do pass, was taken up, considered, and the report of the committee adopted.

Senator Penrose moved to amend by adding the words "of their own raising" after the word "poultry."

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Conaway, Downey, Harper, Henderson, Jamison, Kilburn, Lewis, Oleson, Penrose, Rea, Reynolds, Terry, Upton, Vale, Waterman—15.

The nays were:

Senators Baldwin, Bishop, Cheshire, Craig, Eaton, Everall, Funk, Garst, Green, Harmon, Harsh, Lehfeldt, Palmer, Perrin, Phelps, Rikken, Yeomans—17.

Absent or not voting:

Senators Andrews, Boardman, Brower, Carpenter, Chantry, Dent, Ellis, Finn, Gorrell, Groneweg, Hipwell, Hurst, Jewett, Kelly, Mattoon, Perry, Rowen, Turner—18.

So the amendment was lost.

Senator Everall offered the following amendment:

Amend by adding after the word "family," the words "not a dealer."

Lost.

Senator Yeomans moved that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Carpenter, Chantry, Cheshire, Conaway, Craig, Downey, Eaton, Ellis, Everall, Funk, Garst, Gorrell, Green, Harmon, Harper, Harsh, Henderson, Jamison, Jewett, Kilburn, Lehfeldt, Mattoon, Oleson, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rikken, Rowen, Terry, Turner, Vale, Waterman, Yeomans—39

The nays were:

Senator Upton—1.

Absent or not voting:

Senators Boardman, Brower, Dent, Finn, Groneweg, Hipwell, Hurst, Kelly, Lewis, Perry—10.

So the bill passed and the title was agreed to.

On motion of Senator Everall, Senate file No. 188, a bill for an act to amend section 869, Code of 1873, relating to reports of county treasurer to county auditor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Everall moved that the rule be suspended, and the bill be considered engrossed and read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Carpenter, Chantry, Cheshire, Craig, Downey, Eaton, Ellis, Everall, Finn, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kilburn, Lehfeldt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Terry, Turner, Upton, Waterman, Yeomans—42.

The nays were:

None.

Absent or not voting:

Senators Boardman, Brower, Conaway, Dent, Funk, Kelly, Rowen, Vale—8.

So the bill passed and the title was agreed to.

On motion of Senator Jamison Senate file No. 89, a bill for an act creating a commission to revise and codify the laws of Iowa, and defining its duties and providing for the publication and distribution of its report, with report of committee recommending amendments, and when so amended that the same do pass, was taken up and considered.

Senator Jamison asked for the reading of the report of committee.

Report read.

Senator Jamison moved that House file No. 108 be substituted for Senate file No. 89.

Carried.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

House file No. 1, a bill for an act to protect the makers of notes.

House file No. 5, a bill for an act to create the Nineteenth Judicial District.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

House file No. 146, a bill for an act to amend chapter 20 of the acts of the Twenty-fourth General Assembly in relation to the terms of office of sub-directors of schools.

House file No. 523, a bill for an act to provide for the payment of the mileage of the committees appointed to visit the State institutions.

I am also directed to inform your honorable body that the House has concurred in the Senate amendment to House file No. 17, a bill for an act to prevent and punish prize fighting.

I. K. WILSON,
Chief Clerk.

Senator Lewis moved that House messages be taken up for consideration.

Carried.

HOUSE MESSAGES.

House file No. 146, a bill for an act to amend chapter 20 of the acts of the Twenty-fourth General Assembly, in relation to terms of office of sub-directors of schools, was read first and second times and referred to Committee on Schools.

House file No. 523, a bill for an act to provide for the payment of the mileage of the committees appointed to visit State institutions, was read first and second times.

Senator Lewis moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Gorrell, Groneweg, Harmon, Harper, Harsh, Henderson, Hurst, Jamison, Jewett, Kilburn, Lehfelddt, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rikken, Rowen, Turner, Upton, Vale, Waterman—42.

The nays were:

None.

Absent or not voting:

Senators Brower, Dent, Green, Hipwell, Kelly, Mattoon, Terry, Yeomans—8.

Senator Lewis asked unanimous consent to insert a publication clause.

Granted.

So the bill passed and the title was agreed to.

Senator Penrose moved that the request for the return of House file No. 311, a bill for an act to amend section 1729 of the Code of 1873, requiring boards of directors to provide and keep in good repair suitable water closets or privies in connection with all school buildings.

Carried.

Senator Kilburn moved that the request for the return of House concurrent resolution relative to the pardon of A. F. Hockett be granted.

Carried.

House file No. 1, a bill for an act to protect the makers of notes, was read first and second times and referred to Committee on Judiciary.

House file No. 5, a bill for an act to create the Nineteenth judicial district, was read first and second times and passed on file to take its place on the calendar.

Senator Jamison asked that 300 extra copies of House file No. 108, as amended, be printed.

It was so ordered.

Senator Kilburn moved that the Senate do now adjourn until 9 o'clock A. M. to-morrow.

Carried,

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, March 8, 1894. }

Senate met in regular session at 9 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. Wm. Chapple, of What Cheer, Iowa.

PETITIONS AND MEMORIALS.

Senator Baldwin presented petitions from policy holders in insurance companies of Dubuque and Bellevue, Iowa, asking amendments to Senate file No. 28.

Referred to Committee on Ways and Means.

Senator Boardman presented a petition from insurance policy holders of Ames, Iowa, on same subject.

Same reference.

Senator Chantry presented a petition from insurance policy holders of Glenwood, Iowa, on same subject.

Same reference.

Senator Cheshire presented petitions from insurance policy holders of Des Moines, Iowa, on same subject.

Same reference.

Senator Gorrell presented a petition from insurance policy holders of Newton, Iowa, on same subject.

Same reference.

Senator Jamison presented a petition from W. H. Hall and other insurance policy holders of Clarke county, on same subject.

Same reference.

Senator Mattoon presented a petition from insurance policy holders of West Union, Iowa, on same subject.

Same reference.

Snator Upton presented a petition from citizens of Cresco, Iowa, on same subject.

Same reference.

Senator Andrews presented a petition from insurance policy holders of Perry, Iowa, on same subject.

Same reference.

Senator Groneweg presented petitions from insurance policy holders of Council Bluffs, Iowa, on same subject.

Same reference.

Senator Bishop presented petitions from citizens of Lyon county asking passage of a law raising the age of consent.

Referred to Committee on Public Health.

Senator Cheshire presented a petition from citizens of Polk county, Iowa, on same subject.

Same reference.

Senator Harper presented a petition from citizens of Burlington, Iowa, on same subject, same reference.

Senator Rigger presented petitions from citizens of Nassau, Iowa, Iowa, on same subject.

Same reference.

Senator Kelly presented a petition from 218 women of Iowa City on same subject.

Same reference.

Senator Rowen presented petitions from citizens of Butler, Clinton and Marshall counties on same subject.

Same reference.

Senator Baldwin presented petitions from citizens and dairymen of Dubuque county, asking passage of Senate file No. 221, a bill for an act to regulate the coloring of imitation butter and cheese.

Referred to Committee on Agriculture.

Senator Everall presented a petition from 150 citizens of Clayton county on same subject.

Same reference.

Senator Funk presented petitions from citizens of Palo Alto and Kossuth, Iowa, on same subject.

Same reference.

Senator Green presented petitions from twenty-two citizens of Jones county, Iowa, on same subject.

Same reference.

Senator Mattoon presented petitions from citizens of Fayette county on same subject.

Same reference.

Senator Perrin presented a petition from twenty citizens of Chickasaw county, Iowa, on same subject.

Same reference.

Senator Andrews presented petitions from citizens of Dallas county on same subject.

Same reference.

The Secretary of the Senate read a petition from citizens of Iowa,

asking for the passage of a law providing for medical treatment of inebriates.

Referred to Committee on Suppression of Intemperance.

Senator Funk presented petitions from citizens of Superior, Iowa, on same subject.

Same reference.

Senator Mattoon presented a petition from citizens of Waterville, Iowa, on same subject.

Same reference.

Senator Perry presented a petition from the pastor, elders, members, Sunday school, and Christian Endeavor Society of the Christian Church of Albia, Iowa, asking that there be no change made in prohibitory law.

Same reference.

Senator Jamison presented a petition from citizens of Indianola Iowa, on same subject.

Same reference.

Senator Phelps presented a petition from citizens of Atlantic, Iowa, asking for better enforcement of prohibitory law.

Same reference.

Senator Lewis presented a petition from Chas. H. Austin and other citizens of Wayne county asking for a law regulating building and loan associations.

Referred to Committee on Corporations.

Senator Funk presented a petition from twenty-three citizens of Iowa on same subject.

Same reference.

Senator Harsh presented resolutions from F. R. Davidson and forty other citizens of Cromwell, Iowa, on same subject.

Same reference.

Senator Henderson presented a petition from citizens of Pocahontas county, asking an appropriation of \$25,000 for the State Agricultural society.

Referred to Committee on Appropriations.

Senator Hurst presented a petition, and asked that it be read, from pupils of the Maquoketa high school asking passage of a law making February 22 a legal holiday.

Referred to Committee on Schools.

Senator Turner presented fifty petitions from citizens of various places in Iowa, asking the passage of a law making a suitable appropriation for the purpose of erecting a dormitory at the Iowa Soldiers' Home at Marshalltown, for the use of soldiers' widows and army nurses.

Referred to Committee on Appropriations.

INTRODUCTION OF BILLS.

By Senator Gorrell, Senate file No. 348, a bill for an act to legalize the election for the issuance of bonds to erect water works, held in the incorporated town of Prairie City, Jasper county, Iowa, on March 5, 1894.

Read first and second times and referred to Committee on Judiciary.

By Senator Jamison, by request, Senate file No. 349, a bill for an act to amend chapter 5, of Title 10, of the Code of 1873, in relation to railways.

Read first and second times and referred to Committee on Highways.

By Senator Rowen, Senate file No. 350, a bill for an act providing for the enforcement of the prohibitory law for the suppression of the sale of intoxicating liquors.

Read first and second times and referred to Committee on Suppression of Intemperance.

By Senator Turner, Senate file No. 351, a bill for an act making an appropriation for the erection of a dormitory for widows and mothers of ex-soldiers and sailors and army nurses at the Iowa Soldiers' Home at Marshalltown, Iowa.

Read first and second times and referred to Committee on Appropriations.

REPORTS OF COMMITTEES.

Senator Harmon, from the Committee on Judiciary, submitted the following report.

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 126, a bill for an act legalizing ordinances of cities and towns, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 327, a bill for an act to protect debtors and creditors from injustice on account of changes in the value of money, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 291, a bill for an act to amend sections 3061 and 3106 of the Code of 1873,

beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 172, a bill for an act to amend chapter one, title four, Code of 1873, relating to county, township, town and city government, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 184, a bill for an act to legalize the ordinances of the incorporated town of West Decorah, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the House amendments be concurred in.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 310, a bill for an act to legalize the assessment and collection of taxes under the provisions of chapter 1 of the acts of the Twenty-fourth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that section 1 be amended by striking out the figure "3" in "1893" of line four, and inserting in lieu thereof the figure "2" and by striking out the figure "4" in "1894" of line five and inserting in lieu thereof the figure "3." That section 2 be amended by striking out the last word "city" and insert in lieu thereof the word "State," and that when so amended the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 312, a bill for an act to amend section 4405 of the Code of 1873, and providing for the State another ground of challenge for cause on the trial of an indictment for murder in the first degree, beg leave to report that they have had the same under consideration and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that the same be amended by inserting the word "fixed" after the word "entertains" and before the word "convictions" in line nine of section 1, and when so amended the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred substitute for House file No. 47, a bill for an act to amend section 4 of chapter 94 of the acts of the Nineteenth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to the Committee on Compensation of Public Officers.

M. W. HARMON.

Chairman.

So referred.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 289, a bill for an act to amend section 859 of the Code of Iowa, and to fix the compensation of collection of delinquent taxes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be referred to the Committee on Ways and Means.

M. W. HARMON,

Chairman.

So referred.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate file 259, a bill for an act to legalize the levy of certain taxes for certain years in Dickinson county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking out the publication clause and that when so amended the same do pass.

M. W. HARMON,

Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 328, a bill for an act to regulate foreign building, loan, and homestead associations doing business in the State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to the Committee on Corporations.

M. W. HARMON,

Chairman.

So referred.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 471, a bill for an act to amend chapter 5, section 1660 of the Code of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to the Committee on Charitable Institutions.

M. W. HARMON,

Chairman.

So referred.

Senator Lewis, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House file No. 199, a bill for an act making an appropriation for the Iowa State Agricultural Society, for the encouragement of agriculture, horticulture, manufactures and other industries of the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. W. LEWIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 135, a bill for an act making an appropriation for the Iowa State Agricultural Society, for the encouragement of agriculture, horticulture, manufactures and other industries of the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, House file No. 199, bearing the same title having been recommended for passage.

L. W. LEWIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 157, a bill for an appropriation for the Benedict Home at Des Moines, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the sum therein named, ten thousand dollars, and inserting nine thousand dollars in lieu thereof, and that when so amended the same do pass.

L. W. LEWIS,
Chairman.

Ordered passed on file.

Senator Vale, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House file No. 227, a bill for an act to regulate the testing of milk, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

B. R. VALE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 326, a bill for an act to amend chapter 45, acts of the Seventeenth General Assembly, and establishing a station of the Iowa Weather Service at Muscatine, beg leave to report that they have had the same under consideration, and

have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

B. R. VALE,
Chairman.

Ordered passed on file.

Senator Chantry, from the Committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Charitable Institutions to whom was referred Senate file No. 283, a bill for an act to establish a state board of charities, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

A. J. CHANTRY,
Chairman.

Ordered passed on file.

Senator Waterman, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 225, a bill for an act to provide for the designation of police stations for the detention of women and children under arrest, and for the appointment of police matrons therefor in all cities which, according to the last Federal census, contained a population of 25,000 inhabitants or upwards, or that may hereafter have such population, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the word "twenty-five" in the fourth line of the title of said bill, in the second line of section one, and in the fourth line of section six thereof, be stricken out and the word "fifteen" inserted in lieu thereof in each case; that all of section nine of said bill be stricken out, and as thus amended that it do pass.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 262, a bill for an act authorizing the city councils of cities organized and existing under special charters, to submit amendments to a vote of electors at regular city elections, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. L. WATERMAN
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 300, a bill for an act granting additional powers to cities of the second class and incorporated towns, relating to the construction of sewers or tile drains, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 242, a bill for an act to repeal section 560 of the Code of 1873, and to provide a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Senator Conaway, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 249, a bill for an act to provide for an additional member of the State board of health, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred back to the Senate in which it originated without recommendation.

A. B. CONAWAY,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 201, a bill for an act to amend section 3861 of the Code as amended by section 1, chapter 114 of the acts of the Twenty-first General Assembly in relation to offenses against life and the person, beg leave to report that they have had the same under consideration, have amended it, and have instructed me to report the same back to the Senate with the recommendation that the word "eighteen" be stricken out and the word "fifteen" be inserted, and when so amended that the bill do pass.

A. B. CONAWAY,
Chairman.

Ordered passed on file.

Senator Jamison moved that House file No. 108, a bill for an act creating a commission to revise the laws of Iowa and defining its duties and providing for the publication and distribution of its report, be read a third time now.

Senator Gorrell offered the following amendment:

Amend section 1 by striking out all of first line after the words "consisting of" in the printed bill, and all of second line to the word "by" and insert in lieu thereof "three persons to be appointed by the supreme court one of whom need not have had legal education."

Lost.

Senator Carpenter moved that the special order, being the consideration of House file No. 324, a bill for an act amending chapter 6, title 11, of the Code of 1873, and chapter 35 of the acts of the Twenty-third General Assembly, and providing for the granting of

permits for the sale of spirituous, malt and vinous liquors by persons other than pharmacists, be postponed for fifteen minutes.

Carried.

House file No. 108 was read a third time.

Senator Carpenter moved that the special order be postponed ten minutes.

Carried.

The question being on the passage of House file No. 108.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Ellis, Everall, Finn, Funk, Garst, Green, Groneweg, Harmon, Harper, Harsh, Hipwell, Jamison, Kelly, Lehfelddt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Phelps, Rea, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman, Yeomans—42.

The nays were:

Senators Eaton, Gorrell, Henderson, Kilburn, Perry, Reynolds—6.

Absent or not voting:

Senators Hurst, Jewett—2.

So the bill passed and the title was agreed to.

On motion of Senator Lewis, House file No. 273, a bill for an act to pay expenses of A. W. Richardson to the amount of \$275, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Lewis moved that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Everall, Finn, Funk, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Lehfelddt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman, Yeomans—47.

The nays were:

None.

Absent or not voting:

Senators Garst, Kilburn, Phelps—3.

So the bill passed and the title was agreed to.

The hour for the special order having arrived, being the consideration of Senate file No. 324, Senator Groneweg submitted a report from a minority of the Committee on the Suppression of Intemperance, and asked that the same be read.

MINORITY REPORT OF THE COMMITTEE ON SUPPRESSION OF INTEMPERANCE.

The undersigned, a minority of the Committee on Suppression of Intemperance, beg leave to report that they have considered the committee bill, Senate file No. 324, entitled, "A bill for an act to amend chapter 6 of title 2 of the Code of 1873 and chapter 23 of the acts of the Twenty-third General Assembly, providing for the granting of permits for the sale of spirituous, malt and vinous liquors by persons other than pharmacists," and that they are unable to agree with the majority of this committee for the reason that the general features of this bill are such as would not give the relief to the people of this State which is so urgently demanded by them, and for the further reasons:

1. That the bill leaves the prohibitory law in full force, the most vicious law ever placed upon the statute books of any state.

2. That for the question, whether or not liquors may be sold, is submitted and defeated, it cannot again be re-submitted within five years, but on the other hand, if carried, it can again be submitted in one year, and every year thereafter, thereby keeping such community in constant turmoil at a great and unnecessary expense and thereby excluding responsible parties from engaging in such business owing to the uncertainty of time they may be permitted to continue the same.

3. The bill contains no provisions for the manufacture of the articles which it permits to be sold and which are consumed in large quantities by the people, and for which our State has the raw material in great abundance, thereby compelling our people to keep sending their money out of our State and to help build up manufacturers of other states at our own expense, to the detriment of our farmers and fruit growers and the laborers who might find remunerative employment in such enterprises and thereby destroying the best home market for the products of Iowa soil.

4. The bill gives no relief to towns of less than 7,000 inhabitants and the provisions are so uncertain and severe that prudent and cautious men would not attempt to engage in the business under the same, and the communities would be slow to call elections provided for, and in consequence of these facts the present saloon, the club house, the hole in the wall and the bootlegger would continue to do business at the old stand and the cause of temperance and morality would be benefited in no way.

We recommend that the bill be indefinitely postponed. All of which is respectfully submitted.

WM. GRONEWEG.

L. B. MATTOON.

O. M. OLESON.

JOHN DOWNEY.

Senator Finn, president *pro tem.*, in the chair.

Senator Lewis moved that the rule limiting speeches to ten minutes be suspended during the consideration of the special order.

Carried.

Senator Chantry in the chair.

Senator Lewis moved to take up the bill under consideration by sections.

Carried.

Section one was read.

Senator Rea, offered the following amendment to section two:

Amend by striking out the word "seven" in the first line of section two (2) and inserting the word "five."

Adopted.

Sections three and four were read.

Senator Rowen offered the following amendments to sections three and four:

Amend by striking out the word "one-third" in sections three and four and insert "one-half."

Senator Finn offered the following amendment to the amendment offered by Senator Rowen:

Strike out the words, "one-third" and "legal electors" in first line of section 4 and insert "one-half of adult citizens." Strike out the words "poll book" and "preceding general election" and insert "census" in second line.

President Dungan in the chair.

Senator Andrews moved that the senate do now adjourn.

Yesterday's journal was read, corrected and approved.

Senator Kelly moved to amend by making it a recess until 2:30 o'clock this afternoon.

Carried.

The Senate took a recess until 2:30 P. M.

AFTERNOON SESSION.

Senate reconvened at 2:30 o'clock P. M.

Consideration of special order was resumed.

Senator Lewis moved that all speeches on amendments be limited to five minutes, except those offering the amendments shall have five minutes to close.

Carried.

Senator Rea offered the following amendment to the amendment by Senator Finn:

Strike out the words, "one-half," wherever they occur in said amendment and insert the words, "one-third" in lieu thereof; and insert the words, "of legal age," after the words, citizens."

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment to the amendment be adopted?" the yeas were:

Senators Andrews, Chantry, Cheshire, Conaway, Harmon, Henderson, Jamison, Jewett, Palmer, Penrose, Perrin, Phelps, Rea, Turn e Vale—15.

The nays were:

Senators Boardman, Carpenter, Craig, Ellis, Finn, Funk, Garst, Gorrell, Harsh, Kilburn, Lehfeltdt, Lewis, Rigger, Rowen, Upton, Waterman—16.

Absent or not voting:

Senators Baldwin, Bishop, Brower, Dent, Downey, Eaton, Everall, Green, Groneweg, Harper, Hipwell, Hurst, Kelly, Mattoon, Oleson, Perry, Reynolds, Terry, Yeomans—19.

So the amendment to the amendment was lost.

Senator Brower asked leave to offer a resolution.

Leave granted.

WHEREAS, Governor Lewellen, of Kansas, and staff are in the city, the guests of Governor Jackson; therefore, be it

Resolved, That a committee of two members be appointed by the chair to invite Governor Jackson and his guests to this body.

Adopted.

The president appointed Senators Brower and Dent as such committee.

The question being on the amendment offered by Senator Finn.

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Andrews, Chantry, Cheshire, Conaway, Eaton, Finn, Gorrell, Henderson, Jewett, Kilburn, Palmer, Phelps, Rowen, Vale—14.

The nays were:

Senator Boardman, Brower, Carpenter, Craig, Ellis, Funk, Garst, Harmon, Harsh, Jamison, Lehfeltdt, Lewis, Penrose, Perrin, Rea, Rigger, Turner, Upton, Waterman—19.

Absent or not voting:

Senators Baldwin, Bishop, Dent, Downey, Everall, Green, Groneweg, Harper, Hipwell, Hurst, Kelly, Mattoon, Oleson, Perry, Reynolds, Terry, Yeomans—17.

So the amendment was lost.

The special committee appointed to invite Governor Jackson and his guests. Governor Lewellen of Kansas, and staff, to visit the Senate, appeared, accompanied by the governors, who were conducted to seats with the presiding officer, and the committee was discharged.

Senator Finn offered the following amendment:

Amend section four by striking out the word "electors" in the fifth line and insert the words "citizens over twenty-one years of age residing in such district."

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Andrews, Chantry, Cheshire, Conaway, Eaton, Finn, Gorrell, Henderson, Jewett, Kilburn, Palmer, Penrose, Phelps, Reynolds, Rowen, Vale—16.

The nays were:

Senators Boardman, Brower, Carpenter, Craig, Ellis, Funk, Garst, Harmon, Harsh, Jamison, Lehfeltdt, Lewis, Perrin, Rea, Rikken, Turner, Upton, Waterman—18.

Absent or not voting:

Senators Baldwin, Bishop, Dent, Downey, Everall, Green, Grone-weg, Harper, Hipwell, Hurst, Kelly, Mattoon, Oleson, Perry, Terry, Yeomans—16.

So the amendment was lost.

Senator Carpenter offered the following amendment so section six:

Strike out the word "the" before the word "election" in the first line of section six and insert the word "such."

Strike out of the first line of section six the words "held under the provisions of this act."

Insert after the word "district," in the second line of section six, the words "a notice."

Adopted.

Senator Carpenter offered the following amendment to section 7:

Insert the word, "such" before the word "elections" in the first line of section 7, and strike out the words, "under this act" in the same section and line.

Adopted.

Senator Cheshire offered the following amendment to section twelve:

Amend section twelve by inserting after the word "act" in the fifteenth line thereof the words "that he has never been convicted of a violation of the laws of this State relating to the sale or keeping for sale of intoxicating liquors."

Adopted.

Senator Perrin offered the following amendment to section 13:

Strike out the word "corporate" in first line and insert the word "villages" after the word "towns" in second line, and insert the words "village or incorporated city" in second line.

Lost.

Senator Carpenter offered the following amendment to section 13:

Strike out of the fourth and fifth lines of section 13 the words "under the provisions of this act."

Adopted.

Senator Kilburn offered the following amendment to section 14:

Strike out section 14.

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Eaton, Gorrell, Kilburn—3.

The nays were:

Senators Boardman, Brower, Carpenter, Cheshire, Conaway, Craig, Ellis, Funk, Garst, Harmon, Harsh, Lehfelddt, Lewis, Palmer, Penrose, Perrin, Rea, Reynolds, Rigger, Rowen, Turner, Upton, Vale, Waterman—24.

Absent or not voting:

Senators Andrews, Baldwin, Bishop, Chantry, Dent, Downey, Everall, Finn, Green, Groneweg, Harper, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Mattoon, Oleson, Perry, Phelps, Terry, Yeomans—23.

So the amendment was lost.

Senator Carpenter offered the following amendment to section 14:

Strike out the words "him under this act." in the sixth line of section 14, and insert the words, "such city or town."

Adopted.

Senator Rowen offered the following amendment to section 14.

Strike out the words "five hundred" in the third line of section 14 and insert the words "one thousand."

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Cheshire, Eaton, Finn, Gorrell, Harmon, Henderson, Jewett, Kilburn, Palmer, Rea, Rowen—11.

The nays were:

Senators Carpenter, Chantry, Conaway, Craig, Ellis, Funk, Garst, Harsh, Lehfelddt, Lewis, Perrin, Reynolds, Rigger, Turner, Upton, Vale, Waterman—17.

Absent or not voting:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Dent, Downey, Everall, Green, Groneweg, Harper, Hipwell, Hurst, Jamison, Kelly, Mattoon, Oleson, Penrose, Perry, Phelps, Terry, Yeomans—22.

So the amendment was lost.

Senator Lewis offered the following amendment to section 19:

Add at the end of section 19 the following clause:

"5. The place shall not be open nor shall any sales be made earlier than 6 A. M. nor later than 10 P. M. on any day."

Senator Finn offered an amendment to the amendment to strike out "10" and insert "6."

Upon this the yeas and nays were demanded.

Leave of absence was granted Senator Penrose until to-morrow morning.

On the question, "Shall the amendment to the amendment be adopted?" the yeas were:

Senators Andrews, Eaton, Finn, Gorrell, Harmon, Henderson, Kilburn, Perrin, Phelps, Rea, Rowen—11.

The nays were:

Senators Brower, Carpenter, Cheshire, Craig, Funk, Garst, Harsh, Lehfelddt, Lewis, Reynolds, Rikken, Turner, Upton, Vale, Waterman—15.

Absent or not voting:

Senators Baldwin, Bishop, Boardman, Chantry, Conaway, Dent, Downey, Ellis, Everall, Green, Groneweg, Harper, Hipwell, Hurst, Jamison, Jewett, Kelly, Mattoon, Oleson, Palmer, Penrose, Perry, Terry, Yeomans—24.

So the amendment to the amendment was lost.

The question being upon the amendment offered by Senator Lewis.

Upon this the yeas and nays were demanded.

On the question, "shall the amendment be adopted?" the yeas were:

Senators Andrews, Carpenter, Chantry, Cheshire, Conaway, Craig, Eaton, Finn, Funk, Garst, Gorrell, Harmon, Harsh, Henderson, Jewett, Kilburn, Lehfelddt, Lewis, Palmer, Perrin, Phelps, Rea, Reynolds, Rikken, Rowen, Turner, Upton, Vale, Waterman—29.

The nays were:

Senator Ellis—1.

Absent or not voting:

Senators Baldwin, Bishop, Boardman, Brower, Dent, Downey, Everall, Green, Groneweg, Harper, Hipwell, Hurst, Jamison, Kelly, Mattoon, Oleson, Penrose, Perry, Terry, Yeomans—20.

So the amendment was adopted.

Senator Cheshire offered the following amendment to section 19:

That no treating shall be allowed in the place of business of each permit holder, no patron shall be permitted to buy for or give to another patron in such place of business any intoxicating liquor.

The President of the Senate made the following announcement:

The following enrolled bills and joint resolutions have been presented to me by the Committee on Enrolled Bills, and I have signed them in the presence of the Senate:

Senate files No. 56, 15, 32, 51, 14, 207, 181, 85, 231, 179, 49.

Joint Resolutions No. 8, 3, 7, 11.

March 8, 1894.

WARREN S. DUNGAN,

Lieutenant-Governor, President of the Senate.

I have also signed the following House files and resolutions:

House files No. 20, 21, 23, 51, 154, 53, 86, 66, 109, 180, 135.

House Joint Resolutions No. 1 and 6.

March 8, 1894.

WARREN S. DUNGAN,

Lieutenant-Governor.

Senator Jamison moved that the Senate do now adjourn until 9 o'clock A. M. to-morrow.

Upon this the yeas and nays were demanded.

On the question, "Shall the Senate adjourn?" the yeas were:

Senators Andrews, Baldwin, Brower, Chantry, Cheshire, Conaway, Downey, Eaton, Ellis, Funk, Gorrell, Groneweg, Harmon, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kilburn, Lehfelddt, Palmer, Perrin, Perry, Rea, Reynolds, Rowen, Terry, Turner, Upton, Vale—31.

The nays were:

Senators Bishop, Boardman, Carpenter, Craig, Dent, Everall, Finn, Garst, Harper, Kelly, Lewis, Mattoon, Oleson, Phelps, Rigger, Waterman—16.

Absent or not voting:

Senators Green, Penrose, Yeomans—3.

So the motion to adjourn prevailed.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, March 9, 1894. }

Senate met in regular session at 9 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by H. J. Everly, of Ames, Iowa.

PETITIONS AND MEMORIALS.

Senator Brower presented petitions from policy holders in insurance companies of Mason City, Iowa, asking amendments to Senate file No. 28.

Referred to Committee on Ways and Means.

Senator Boardman presented petitions from insurance policy holders of Algona, Emmetsburg and Spencer, Iowa, on same subject.

Same reference.

Senator Groneweg presented petitions from insurance policy holders of Strahan, Iowa, on same subject.

Same reference.

Senator Dent presented a petition from insurance policy holders of Holstein, Iowa, on same subject.

Same reference.

Senator Everall presented petitions from insurance policy holders of McGregor, Iowa, on same subject.

Same reference.

Senator Green presented a petition from insurance policy holders of Wyoming, Iowa, on same subject.

Same reference.

Senator Bishop presented petitions from insurance policy holders of Rock Rapids and Primghar, Iowa, and Pittsburg, Kansas, on same subject.

Same reference.

Senator Upton presented petitions from citizens of Cresco, Iowa, asking passage of a law raising the age of consent.

Referred to Committee on Public Health.

Senator Brower presented petitions from citizens of Garner, Iowa, on same subject.

Same reference.

Senator Andrews presented a petition from citizens of Guthrie county, protesting against modification of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Harmon presented a petition from forty-eight citizens of Delaware county, on same subject.

Same reference.

Senator Turner presented a petition from forty-one citizens of Marshall county, on same subject.

Same reference.

Senator Funk presented petition from eighty-six citizens of Emmet county on same subject.

Same reference.

Senator Upton presented a petition from citizens of Riceville, Iowa, on same subject.

Same reference.

Senator Conaway presented a petition from citizens of West Providence, Iowa, asking for the passage of a law providing for medical treatment of inebriates.

Same reference.

Senator Kilburn presented a petition from sixty-four citizens and dairymen of Madison county, asking the passage of Senate file No. 221, a bill for an act to regulate the coloring of imitation butter and cheese.

Referred to Committee on Agriculture.

Senator Dent presented a petition from citizens of Plymouth county on same subject.

Same reference.

Senator Boardman presented a petition from citizens of Story county on the same subject.

Same reference.

Senator Perry presented a petition from citizens of Marion county on same subject.

Same reference.

Senator Groneweg presented a petition from the Iowa Association for the Advancement of the Deaf, asking for the introduction of a manual alphabet in the public schools of the State.

Referred to Committee on Schools.

Senator Hipwell presented a petition from citizens of Davenport asking passage of Senate file No. 7.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Rowen, Senate file No. 352, a bill for an act to indemnify Ellen Nesten for loss of certain lands in Webster county, for which she holds title from the State of Iowa.

Read first and second times and referred to Committee on Public Lands.

By Senator Yeomans, Senate file No. 353, a bill for an act to repeal section 3397, McClain's Code.

Read first and second times and referred to Committee on Judiciary.

By Senator Yeomans, Senate file No. 354, a bill for an act to repeal section 3094, McClain's Code (R. No. 2201, S. 51, No. 1193).

Read first and second times and referred to Committee on Judiciary.

By Senator Waterman, Senate file No. 355, a bill for an act to establish a school of mines for the State of Iowa.

Read first and second times and referred to Committee on Agriculture.

By Senator Kelly, Senate file No. 356, a bill for an act making appropriations for the better support of the State University in the several departments and chairs and in aid of the income fund and for the development of the institution.

Read first and second times and referred to Committee on Appropriations.

By Senator Cheshire, Senate file No. 357, a bill for an act to empower certain cities to establish a department of health and defining its organization, powers and duties.

Read first and second times and referred to Committee on Public Health.

By Senator Carpenter, Senate file No. 358, a bill for a act to repeal section 3787 of the Code, relating to fees in probate matters, and to enact a substitute in lieu thereof.

Read first and second times and referred to Committee on Compensation of Public Officers.

REPORTS OF COMMITTEES.

Senator Harsh, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to which was referred Senate file No. 264, a bill for an act to amend section 1, of chapter 194, of the laws of the Twentieth General Assembly, relative to taxes assessed against merchants on stocks of goods, and providing a lien thereon as against owners and purchasers, ask leave to report they have had the same under consideration and has instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. B. HARSH,
Chairman.

Ordered passed on file.

Senator Chantry, from the Committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred House file No. 471, a bill for an act to amend chapter 5, section 1660, of the Code of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

A. J. CHANTRY,
Chairman.

Ordered passed on file.

Senator Rowen, from the Committee on Penitentiaries and Pardons, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiaries and Pardons, to whom was referred the case of Frederick Merwhirter for pardon, for the murder of Doctor Hatton, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that he be not pardoned.

J. E. ROWEN,
Chairman.

Ordered passed on file.

Senator Chantry asked leave to recall Senate file No. 283 and have it referred back to Committee on Charitable Institutions.

Leave granted and bill referred.

Consideration of the special order, Senate file No. 324, was resumed.

Senator Cheshire asked leave to withdraw his amendment offered yesterday to section 19.

Leave granted and amendment withdrawn.

Senator Cheshire offered the following amendment to section 19.

6. That no treating shall be allowed in the place of business of such permit holder. No patron shall be permitted to buy for or give to another person in such place of business any intoxicating liquors, nor shall the permit holder, at the request of any person, sell or give to another person, directly or indirectly, any intoxicating liquors. No tickets, numbers or chips shall be issued, sold or given away by such permit holder with the purpose of redeeming them by exchanging intoxicating liquors therefor.

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Andrews, Chantry, Cheshire, Conaway, Eaton, Finn, Gorrell, Harsh, Henderson, Jewett, Kilburn, Lewis, Palmer, Penrose, Perrin, Phelps, Rea, Rikken, Rowen, Vale—20.

The nays were:

Senators Boardman, Brower, Carpenter, Graig, Ellis, Funk, Garst, Harmon, Jamison, Lehfeltdt, Upton, Waterman—12.

Absent or not voting:

Senators Baldwin, Bishop, Dent, Downey, Everall, Greene, Groneweg, Harper, Hipwell, Hurst, Kelly, Mattoon, Oleson, Perry, Reynolds, Terry, Turner, Yeomans—18.

So the amendment was adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House herewith returns the following bill, the motion to reconsider the same having been withdrawn:

House file No. 311, a bill for an act to amend section 1729 of the Code of 1873, requiring boards of directors to provide and keep in good repair suitable water closets in connection with all public school buildings.

I. K. WILSON,
Chief Clerk.

Senator Lewis offered the following amendment to section 19:

Amend section 19, line 14, by inserting between the words "no" and "billiards" the words "tables or seats."

Adopted.

Senator Finn offered the following amendment to section 19:

Amend section nineteen by adding, "and shall require every person to whom a sale is made to register his name in a book kept for that purpose, together with his age, occupation, place of residence, kind and quality of liquor bought, and such permit holder shall make reports to the county auditor, such as are now required by registered pharmacists who sell intoxicants."

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Eaton, Finn, Gorrell, Kilburn, Palmer, Phelps, Rowen—7.

The nays were:

Senators Boardman, Brower, Carpenter, Chantry, Cheshire, Conway, Craig, Ellis, Funk, Garst, Harmon, Harsh, Lehfeltdt, Lewis, Penrose, Perrin, Rea, Rigger, Upton, Vale, Waterman—21.

Absent or not voting:

Senators Andrews, Baldwin, Bishop, Dent, Downey, Everall, Green, Groneweg, Harper, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Mattoon, Oleson, Perry, Reynolds, Terry, Turner, Yeomans—22.

So the amendment was lost.

Senator Andrews offered the following amendment to section 19:

Amend section 19, paragraph 4, by inserting after the word "chance," in the first line, the words, "musical instruments or music."

Adopted.

Senator Carpenter offered the following amendment to section 20:

Amend section 20 by adding after the word "made" in the sixth line the words "or of any additional regulations or restrictions imposed by any city or town." Strike out "reviewing" in last line and insert the word "review."

Adopted.

Senator Lewis offered the following amendment to section 22:

Amend section 22 by adding at the close thereof the following words: "*Provided*, that nothing in this section shall be construed in any way to repeal or nullify section 1557 of the Code of 1878."

Adopted.

Senator Waterman moved to amend section twenty-two by striking out the word "will" in fifth line and inserting in lieu thereof the word "shall."

Adopted.

Senator Carpenter offered the following amendment to section twenty-four.

Amend section twenty-four by striking out the words "provisions of" in the first line, and inserting the words "regulations provided in."

Adopted.

Senator Lewis offered the following amendment to section 13.

Amend section 13, line 5, by striking out the words "school, church" and inserting in lieu thereof the words "educational, religious."

Senator Finn offered the following amendment to the amendment:

Add the words "or any home, without having first obtained permission of one of its members."

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment to the amendment be adopted?" the yeas were:

Senators Finn, Gorrell, Harmon, Jewett, Kilburn, Palmer, Perrin, Phelps, Reynolds, Rigger, Rowen, Vale—12.

The nays were:

Senators Boardman, Brower, Carpenter, Cheshire, Craig, Ellis, Funk, Garst, Harsh, Henderson, Lehfeltdt, Penrose, Turner, Upton, Waterman—15.

Absent or not voting:

Senators Andrews, Baldwin, Bishop, Chantry, Conaway, Dent, Downey, Eaton, Everall, Green, Groneweg, Harper, Hipwell, Hurst, Jamison, Kelly, Lewis, Mattoon, Oleson, Perry, Rea, Terry, Yeomans—23.

So the amendment to the amendment was lost.

The question being on the amendment offered by Senator Lewis.

Adopted.

Senator Cheshire offered the following amendment to section 19.

Amend section 19 as already amended by adding thereto the following: "That no such place shall be kept in any basement or upper story of any building above the first or ground floor thereof."

Senator Waterman moved to amend the amendment by striking out the words "basement or."

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment to the amendment be adopted?" the yeas were:

Senators Ellis, Funk, Harmon, Henderson, Lehfeldt, Lewis, Waterman—7.

The nays were:

Senators Boardman, Brower, Chantry, Cheshire, Conaway, Eaton, Finn, Gorrell, Harsh, Jewett, Kilburn, Palmer, Perrin, Phelps, Rea, Reynolds, Rigger, Rowen, Turner, Vale—20.

Absent and not voting:

Senators Andrews, Baldwin, Bishop, Carpenter, Craig, Dent, Downey, Everall, Garst, Green, Groneweg, Harper, Hipwell, Hurst, Jamison, Kelly, Mattoon, Oleson, Penrose, Terry, Upton, Yeomans—23.

So the amendment to the amendment was lost.

The question being on the amendment offered by Senator Cheshire.

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Andrews, Boardman, Carpenter, Chantry, Cheshire, Craig, Eaton, Finn, Funk, Gorrell, Harmon, Harsh, Henderson, Jewett, Kilburn, Lehfeldt, Lewis, Palmer, Penrose, Perrin, Phelps, Rea, Rigger, Turner—24.

The nays were:

Senators Brower, Conaway, Ellis, Garst, Reynolds, Upton—6.

Absent or not voting:

Senators Baldwin, Bishop, Dent, Downey, Everall, Green, Groneweg, Harper, Hipwell, Hurst, Jamison, Kelly, Mattoon, Oleson, Perry, Rowen, Terry, Vale, Waterman, Yeomans—20.

So the amendment was adopted.

Senator Phelps offered the following amendment:

Amend by striking out the word "spirituous" wherever it occurs in this bill.

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Andrews, Chantry, Cheshire, Conaway, Eaton, Finn, Gorrell, Harmon, Jamison, Jewett, Kilburn, Lewis, Palmer, Penrose, Phelps, Reynolds, Rigger, Rowen, Turner, Vale, Waterman—21.

The nays were:

Senators Boardman, Brower, Carpenter, Craig, Ellis, Funk, Garst, Harsh, Henderson, Lehfeldt, Rea, Upton—12.

Absent or not voting:

Senators Baldwin, Bishop, Dent, Downey, Everall, Green, Grone-
weg, Harper, Hipwell, Hurst, Kelly, Mattoon, Oleson, Perrin, Perry,
Terry, Yeomans—17.

So the amendment was adopted.

Senator Waterman moved to reconsider the vote by which the amendment offered by Senator Phelps was adopted.

Senator Jamison asked asked leave to withdraw his motion to reconsider the vote by which Senate file No. 21 passed the Senate.

Decision pending.

Journal of yesterday was read and approved.

Senator Waterman moved that the Senate do now adjourn until 7:30 o'clock P. M.

Carried.

The Senate adjourned.

EVENING SESSION.

The Senate met pursuant to adjournment at 7:30 o'clock P. M., President Dungan presiding.

The special order, being the resolution by Senator Everall to take up legalizing acts, purely local measures and bills recommended for indefinite postponement where there are no objections, was considered.

Senator Everall offered the following resolution, and moved its adoption:

Resolved, That Senate files Nos. 191, 90, 93, 82, 121, 67, 69, 1, 57, 116, 25, 177, 183, 244, 171, 247, 208, 301, 22, 28, 46, 170, 332, 327, House file 126, Senate files 291, 135, 326, 183, which have all been recommended for indefinite postponement by the committees to which they were referred, be and the same are indefinitely postponed.

Adopted.

Senator Conaway moved that the secretary of the Senate be instructed to change the reading of committee report on Senate file No. 93 from the recommendation "that same do not pass" to "that same be indefinitely postponed."

Carried.

Senator Harsh moved that the resolution offered by Senator Everall be so changed as to include the title of each bill, as well as the number, so that the same might appear in full in the journal.

Lost.

On motion of Senator Yeomans, Senate file No. 125, a bill for an act to provide for the issuance of bonds for the purpose of funding county indebtedness, with report of committee recommending a substitute, and that the substitute do pass, was taken up, considered, and the report of the committee adopted.

Substitute was read first and second times.

Senator Yeomans moved that the rule be suspended, and the bill be read a third time now.

Carried.

Senator Yeomans moved that the reading just finished be considered the third reading.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Green, Groneweg, Harmon, Harper, Harsh, Hipwell, Jamison, Jewett, Kelly, Kilburn, Lehfeldt, Mattoon, Oleson, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Terry, Turner, Upton, Vale, Waterman, Yeomans—44.

The nays were:

None.

Absent or not voting.

Senators Gorrell, Henderson, Hurst, Lewis, Palmer, Rowen—6.

So the bill passed and the title was agreed to.

On motion of Senator Harper Senate file No. 193, a bill for an act to legalize the assessment, levy and collection of taxes for library purposes in certain cities of the first class, with report of committee recommending amendments, and when so amended that same do pass, was taken up, considered, and the report of the committee adopted.

Senator Harper moved to amend by inserting a publication clause without expense to the State.

Carried.

Senator Harper moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Everall, Funk, Garst, Green, Groneweg, Harmon, Harper, Harsh, Hipwell, Jamison, Jewett, Kelly, Kilburn, Lehfeldt, Lewis, Mattoon, Oleson, Penrose,

Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Terry, Turner, Upton, Vale, Waterman, Yeomans—42.

The nays were:

None.

Absent or not voting:

Senators Brower, Ellis, Finn, Gorrell, Henderson, Hurst, Palmer, Rowen—8.

So the bill passed and the title was agreed to.

REPORTS OF STANDING COMMITTEES.

Senator Harmon, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 293, a bill for an act relating to the investment of the funds of life insurance companies, and amendatory of section 1179 of the Code as amended by chapter 94 of the laws of the Twenty-second General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the title be amended by inserting the words "and association" after the word "companies" in line two and by adding the words "and to amend chapter 30, laws of the Twenty-fourth General Assembly," at the end of the title.

That section 1 be amended by inserting the words, "and any life association operating under chapter 65, laws of the Twenty-first General Assembly" after the figures "1893" in line three. That section 1 be amended by inserting the words, "provided the buildings are constructed of brick or stone, and" after the word "improvements" in line nine. That section 1 be amended by inserting the words, "authorized to do business in Iowa," after the word "companies" in line thirteen. That section 2 be amended by striking out the words, "which is," and inserting in lieu thereof the words, "and all that part of chapter 30, laws of the Twenty-fourth General Assembly," after the word "assembly" in line three. That section 2 be amended by striking out the word "is" in line three, and inserting in lieu thereof the word "are." And that when so amended the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

On motion of Senator Kelly, House file No. 107, a bill for an act to amend section 515 of the Code giving additional police force to incorporated towns, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Kelly moved that the rule be suspended and the bill be considered engrossed and read a third time now which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Finn, Funk, Garst, Green, Groneweg, Harmon, Harper, Harsh, Hipwell, Jamison,

Jewett, Kelly, Kilburn, Lewis, Mattoon, Oleson, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Terry, Turner, Upton, Vale, Waterman, Yeomans—41.

The nays were:

None.

Absent or not voting:

Senators Eaton, Ellis, Everall, Gorrell, Henderson, Hurst, Lehfeldt, Palmer, Rowen—9.

So the bill passed and the title was agreed to.

On motion of Senator Hipwell, Senate file No. 317, a bill for an act to repeal chapter 14 of the laws of the Twenty-third General Assembly, as amended by chapter 9, of the laws of the Twenty-fourth General Assembly, relating to paving, curbing and sewerage in cities under special charter, and to enact a substitute therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hipwell offered the following amendment:

Add after the word "purpose," in the sixty-second line of section six, "and said bonds or certificates shall be payable only out of funds derived from such assessments."

Adopted.

Senator Hipwell moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Carpenter, Chantry, Cheshire, Conaway, Dent, Downey, Finn, Funk, Green, Groneweg, Harmon, Harper, Harsh, Hipwell, Jewett, Kelly, Kilburn, Lehfeldt, Lewis, Mattoon, Oleson, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Terry, Turner, Vale, Waterman, Yeomans—36.

The nays were:

None.

Absent or not voting:

Senators Boardman, Brower, Craig, Eaton, Ellis, Everall, Gars, Gorrell, Henderson, Hurst, Jamison, Palmer, Rowen, Upton—14.

So the bill passed and the title was agreed to.

On motion of Senator Chantry, House file No. 88, a bill for an act to legalize the levy of certain taxes of Plattsville township, Mills county, Iowa, with report of the committee recommending amendments and when amended that the same do pass, was taken up, considered, and the report of the committee adopted.

Senator Chantry moved that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Dent, Downey, Everall, Finn, Funk, Garst, Green, Groneweg, Harmon, Harper, Harsh, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Oleson, Penrose, Perrin, Perry, Phelps, Reynolds, Rigger, Terry, Turner, Upton, Vale, Waterman, Yeomans—38.

The nays were:

None.

Absent or not voting:

Senators Brower, Craig, Eaton, Ellis, Gorrell, Henderson, Hipwell, Hurst, Mattoon, Palmer, Rea, Rowen—12.

So the bill passed and the title was agreed to.

On motion of Senator Chantry, House file No. 87, a bill for an act to legalize the levy of certain taxes of Center township, Mills county, Iowa, with report of committee recommending amendments, and when so amended that same do pass, was taken up, considered, and the report of the committee adopted.

Senator Chantry moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were: .

Senators Andrews, Baldwin, Bishop, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Everall, Finn, Funk, Garst, Green, Groneweg, Harmon, Harper, Harsh, Hipwell, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Mattoon, Oleson, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Terry, Turner, Upton, Vale, Waterman, Yeomans—42.

The nays were:

None.

Absent or not voting:

Senators Boardman, Eaton, Ellis, Gorrell, Henderson, Hur Palmer, Rowen—8.

So the bill passed and the title was agreed to.

On motion of Senator Groneweg, House file No. 32, a bill for an act to legalize the organization of the Independent School District of Avoca, Pottawattamie county, Iowa, with report of committee recommending amendments and when so amended that the same do pass, was taken up, considered, and the report of the committee adopted.

Senator Groneweg moved that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Everall, Finn,

Funk, Garst, Green, Groneweg, Harmon, Harper, Harsh, Hipwell, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Mattoon, Oleson, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Terry, Turner, Upton, Vale, Waterman, Yeomans—43.

The nays were:

None.

Absent or not voting:

Senators Eaton, Ellis, Gorrell, Henderson, Hurst, Palmer, Rowen—7.

So the bill passed and the title was agreed to.

On motion of Senator Garst Senate file No. 70, a bill for an act to legalize the acts of the council of the incorporated town of Coon Rapids, Carroll county, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Garst moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Everall, Finn, Funk, Garst, Green, Groneweg, Harmon, Harper, Harsh, Hipwell, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Mattoon, Oleson, Penrose, Perrin, Perry, Rea, Reynolds, Rigger, Terry, Turner, Upton, Vale, Yeomans—41.

The nays were:

None.

Absent or not voting:

Senators Eaton, Ellis, Gorrell, Henderson, Hurst, Palmer, Phelps, Rowen, Waterman—9.

So the bill passed and the title was agreed to.

On motion of Senator Harmon Senate file No. 267, a bill for an act to legalize the official acts of J. C. Myers, as mayor of the incorporated town of Fairbank, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Harmon moved that the rule be suspended, and the bill be considered engrossed and read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Everall, Finn, Funk, Garst, Green, Groneweg, Harmon, Harsh, Hipwell, Jamison,

Jewett, Kelly, Kilburn, Lehfeldt, Lewis, Mattoon, Oleson, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Terry, Turner, Upton, Vale, Waterman, Yeomans—42.

The yeas were:

None.

Absent or not voting:

Senators Eaton, Ellis, Gorrell, Harsh, Henderson, Hurst, Palmer, Rowen—8.

So the bill passed and the title was agreed to.

Senator Henderson was granted leave of absence until to-morrow morning.

On motion of Senator Harmon, Senate file No. 268, a bill for an act to legalize the acts and proceedings of the city of Clinton, Iowa, with report of committee recommending a substitute and that the substitute do pass, was taken up, considered, and the report of the committee was adopted.

Substitute was read first and second times.

Senator Harmon moved that the rule be suspended, and the bill be considered engrossed and read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Dent, Downey, Everall, Finn, Funk, Garst, Green, Groneweg, Harmon, Harper, Hipwell, Jamison, Jewett, Kelly, Kilburn, Lehfeldt, Lewis, Mattoon, Oleson, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Terry, Turner, Upton, Vale, Yeomans—40.

The nays were:

None.

Absent or not voting:

Senators Craig, Eaton, Ellis, Gorrell, Harsh, Henderson, Hurst, Palmer, Rowen, Waterman—10.

So the bill passed and the title was agreed to.

On motion of Senator Harmon, Senate file No. 305, a bill for an act to repeal section 3 of chapter 124 of the acts of the Twenty-third General Assembly, relating to the construction of the Independence and Rush Park railway, with report of committee was taken up, considered and the report of the committee adopted. Senator Harmon moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpen-

ter, Chantry, Cheshire, Conaway, Dent, Downey, Everall, Funk, Green, Groneweg, Harmon, Harper, Hipwell, Jamison, Jewett, Kelly, Kilburn, Lehfeltdt, Lewis, Mattoon, Oleson, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Terry, Upton, Vale, Yeomans—37.

The nays were:

None.

Absent or not voting:

Senators Craig, Eaton, Ellis, Finn, Garst, Gorrell, Harsh, Henderson, Hurst, Palmer, Rowen, Turner, Waterman—13.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

Senator Harmon, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 344, a bill for an act to legalize the incorporation of the town of Beaman, Grundy county, Iowa, the election of its officers and all the acts done and ordinances passed by the council of said town, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 336, a bill for an act to legalize an election held for officers of the incorporated town of Goodell, Hancock County Iowa, and also to legalize ordinances passed by said town, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

On motion of Senator Brower Senate file No. 336, a bill for an act to legalize an election held for officers of the incorporated town of Goodell, Hancock county, Iowa, and also to legalize ordinances passed by said town, with report of committee recommending passage, was taken up and considered.

Report of committee was read.

Senator Brower moved that the rule be suspended, and the bill be considered engrossed and read a third time now.

Carried.

Senator Brower moved that the reading just finished be considered the third reading.

Carried.

On the question "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Dent, Downey, Everall, Funk, Green, Groneweg, Harmon, Harper, Hipwell, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Mattoon, Oleson, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Terry, Upton, Vale, Yeomans—37.

The nays were:

None.

Absent or not voting:

Senators Craig, Eaton, Ellis, Finn, Garst, Gorrell, Harsh, Henderson, Hurst, Palmer, Rowen, Turner, Waterman—13.

So the bill passed and the title was agreed to.

On motion of Senator Rea, Senate file No. 307, a bill for an act to legalize the incorporation of the town of Conrad, Grundy county, Iowa, the election of its officers and all the acts done and ordinances passed by the council of said town, with report of committee recommending passage, was taken up, and the report of the committee was read.

Senator Rea moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators, Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Dent, Downey, Everall, Green, Groneweg, Harmon, Harper, Hipwell, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Mattoon, Oleson, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Terry, Upton, Vale, Yeomans—36.

The nays were:

None.

Absent or not voting:

Senators Craig, Eaton, Ellis, Finn, Funk, Garst, Gorrell, Harsh, Henderson, Hurst, Palmer, Rowen, Turner, Waterman—14.

So the bill passed and the title was agreed to.

On motion of Senator Harmon, House file No. 19, a bill for an act to legalize the election of trustees and articles of incorporation of Fell's Cemetery, town of Libertyville, with report of committee, recommending amendments and when so amended that the same do pass, was taken up, considered, and the report of the committee adopted.

Senator Harmon moved that the bill be read a third time now.

Carried.

Senator Andrew moved that the reading just finished be considered the third reading.

Carried.

On the question, "Shall the bill pass?" the yeas were: ;

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Everall, Funk, Green, Groneweg, Harmon, Harper, Hipwell, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Mattoon, Oleson, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Terry, Upton, Vale, Yeomans—38.

The nays were:

None.

Absent or not voting:

Senators Eaton, Ellis, Finn, Garst, Gorrell, Harsh, Henderson, Hurst, Palmer, Rowen, Turner, Waterman—12.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

Senator Conaway, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT--Your Committee on Public Health, to whom was referred Senate file No. 837, a bill for an act to amend chapter 103 of the acts of the Twenty-first General Assembly, in relation to medicine and surgery, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

A. B. CONAWAY,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 285, a bill for an act relative to the licensing of plumbers, and the supervision of the business of plumbing, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

A. B. CONAWAY,
Chairman.

Ordered passed on file.

Senator Kelly asked leave to introduce a bill.

Leave granted.

By Senator Kelly, Senate file No. 359, a bill for an act to repeal Senate file No. 85, an act of the Twenty-fifth General Assembly.

Read first and second times and referred to Committee on Agriculture.

Senator Dent moved that the Senate do now adjourn.

Lost.

Senator Andrews moved that the Senate hold a meeting next **Monday** evening for the purpose of taking up legalizing acts.

Carried.

Senator Dent moved that the Senate do now adjourn until 9 o'clock **A. M. tomorrow.**

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Saturday, March 10, 1894. }

Senate met in regular session at 9 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Senator Rowen.

PETITIONS AND MEMORIALS.

Senator Penrose presented a petition from policy holders in insurance companies of Poweshiek county, Iowa, asking amendments to Senate file No. 28.

Referred to Committee on Ways and Means.

Senator Harper presented petitions from insurance policy holders of Burlington, Iowa, on same subject.

Same reference.

Senator Everall presented a petition from insurance policy holders of Strawberry Point, Iowa, on same subject.

Same reference.

Senator Groneweg presented a petition from insurance policy holders of Council Bluffs, Iowa, on same subject.

Same reference.

Senator Baldwin presented petitions from insurance policy holders of Dubuque, Iowa, on same subject.

Same reference.

Senator Terry presented petitions from insurance policy holders of Cedar Rapids, Iowa, on same subject.

Same reference.

Senator Jewett presented a petition from insurance policy holders of Forest City, Iowa, on same subject.

Same reference.

Senator Rea presented a petition from insurance policy holders of Grundy Center, Iowa, on same subject.

Same reference.

Senator Waterman presented petitions from citizens of Wapello county, asking passage of a law raising the age of consent.

Referred to Committee on Public Health.

Senator Brower presented a petition from citizens of Thornton, Iowa, on same subject.

Same reference.

Senator Penrose presented a petition from citizens of Toledo, Iowa, on same subject.

Same reference.

Senator Reynolds presented a petition from citizens of Britt, Hancock county, Iowa, on same subject.

Same reference.

Senator Rigger presented a petition from citizens of Guernsey, Iowa, on same subject.

Same reference.

Senator Carpenter presented a petition from the W. C. T. U. of Muscatine on same subject.

Same reference.

Senator Garst presented petitions from forty-four citizens and dairymen of Sac county, asking the passage of Senate file No. 221, a bill for an act to regulate the coloring of imitation butter and cheese.

Referred to Committee on Agriculture.

Senator Everall presented a petition from 160 citizens of Clayton county on same subject.

Same reference.

Senator Rea presented a petition from 48 citizens of Grundy county on same subject.

Same reference.

Senator Jewett presented a petition from citizens of Worth county, asking an appropriation of \$25,000 for the State Agricultural society.

Same reference.

Senator Penrose presented a petition from ladies of Wisehart, Iowa, asking that no law be passed whereby payment of money shall be made a bar to prosecutions under the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Green presented a petition from sixty-eight voters of Cedar county, Iowa, asking that there be no change made in the prohibitory law.

Same reference.

Senator Terry presented a petition from ninety-eight citizens of Linn county, Iowa, on same subject.

Same reference.

Senator Carpenter presented a petition from citizens of Muscatine and Louisa counties, Iowa, on the same subject.

Same reference.

Senator Cheshire presented a series of resolutions passed by the

Ministerial Association of Des Moines, on the same subject and asked that they be read.

Same reference.

INTRODUCTION OF BILLS.

By Senator Green, Senate file No. 360, a bill for an act for the inspection of liquors in the State of Iowa.

Read first and second times and referred to Committee on Public Health.

By Senator Ellis, Senate file No. 361, a bill for an act to amend section 3798 of the Code, as amended by chapter 184, section 3, of the acts of the Eighteenth General Assembly, relating to the salary of county auditors.

Read first and second times and referred to Committee on Compensation of Public Officers.

Senator Vale offered the following concurrent resolution, and moved its adoption.

CONCURRENT RESOLUTION RELATIVE TO "IOWA DAY" AT THE MID-WINTER FAIR IN CALIFORNIA.

WHEREAS, The governor and executive council have been solicited by the management of the Mid-Winter Fair at San Francisco, Cal., and by citizens of Iowa and former citizens of Iowa, now residing in California, to appoint a day to be observed as "Iowa Day" in connection with said fair; and

WHEREAS, Iowa has no building on said Fair Grounds, nor any special exhibit in any department, therefore be it

Resolved by the Senate, the House concurring, That while the Governor and Executive Council are hereby authorized to appoint a day to be known as "Iowa Day" and arrange for its observance in connection with said Fair, that they are hereby directed to limit the expenditure in connection therewith to five hundred dollars (\$500).

Resolution adopted.

REPORTS OF COMMITTEES.

Senator Harmon, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 132, a bill for an act to provide for the payment of taxes by lien holders, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 320, a bill for an act to amend chapter 3, of Title XVI, of the Code of 1873, referring to the settlement of estates, beg leave to report that they have had the

same under consideration, and have instructed me to report the same back to the Senate with the recommendation that section 1 be amended to read as follows:

SECTION 1. That section 2402 of the Code of 1873, be and the same is hereby repealed, and in lieu thereof is enacted the following:

"Section 2402. The administrator or executor may be authorized by the court or judge to take possession and care of the real estate, other than the homestead, left by said decedent, to demand and receive the rents and profits thereof, and to do all other acts relating thereto that may be for the benefit of said estate, and of the persons entitled thereto," and that when so amended the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 123, a bill for an act to amend section 2698 of the Code of Iowa, in relation to interrogatories annexed to pleadings, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 270, a bill for an act prescribing the manner of mortgaging or encumbering exempt personal property, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by striking out section 2, and that when so amended the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Senator Vale, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 216, a bill for an act providing for the establishment of courts of conciliation and prescribing the mode of procedure in same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

B. R. VALE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 137, a bill for an act amending sections 1446, 1447, 1448, 1452, 1456, and repealing sections 1440, 1451 and 1464 of chapter 3, title 11 of the Code of Iowa, relating to domestic animals, beg leave to report that they have had the

same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

B. R. VALE.

Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 31, a bill for an act to provide for the better protection of life and property by the inspection of all traction, portable and semi-portable steam boilers used in this State for the purpose of threshing grain and grass seeds, shelling corn and grinding feed, sawing wood and lumber and to provide for the licensing of engineers of such steam boilers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be re-referred to the Committee on Manufactures.

B. R. VALE,

Chairman.

So referred.

Senator Kilburn, from the Committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate file No. 101, a bill for an act to amend paragraph 12 of chapter 134 of the acts of the Twenty-first General Assembly, relating to the salaries of judges of the district court, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

L. M. KILBURN,

Chairman.

Ordered passed on file.

Senator Gorrell, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 290, a bill for an act to pay the expenses of J. W. Cliff in his contest for the office of secretary of the Senate of the Twenty-fourth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

J. R. GORRELL,

Chairman.

Ordered passed on file.

Senator Rowen, from the Committee on Penitentiaries and Pardons, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiaries and Pardons, to whom was referred the case of A. F. Hockett, for pardon from the penitentiary at Ft. Madison, beg leave to report that they have had the same under consideration in conjunction with the committee from the House, and have instructed me to report the same back to the Senate with the recommendation that he be not pardoned.

J. E. ROWEN,

Chairman.

Ordered passed on file.

Senator Harsh, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means to whom was referred Senate file No. 91, a bill for an act to provide a general levy for State purposes, asks leave to report that it has had the same under consideration and has instructed me to report the same back to the Senate with the recommendation that it be amended by striking out all of section one (1) after the word "million" in line 3 of the printed bill, and inserting instead thereof the following: "One hundred thousand dollars (\$100,000) upon the assessed value of property for each of the years 1894 and 1895, in lieu of the two-mill tax," and that when so amended the bill do pass.

J. B. HARSH,
Chairman.

Ordered passed on file.

Senator Waterman, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 260, a bill for an act authorizing cities organized under special charter to fund their outstanding floating indebtedness, and providing for the payment of the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 342, a bill for an act to amend section 529 of the Code, relating to ferries, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

The President of the Senate announced the following senators as a committee on part of the Senate to act on the joint committee on enrolled bills:

Senators Phelps and Chantry.

Senator Jamison called for a ruling on his request to withdraw his motion to reconsider the vote by which Senate file No. 21 passed the Senate, to which objections were raised yesterday.

The chair ruled that the motion could be withdrawn.

The motion was withdrawn.

HOUSE MESSAGES.

House file No. 311, a bill for an act to amend section 1729 of the Code of 1873, requiring boards of directors to provide and keep in

good repair suitable water closets or privies in connection with all public school buildings, was read first and second times and passed on file and takes its place on the calendar.

Consideration of the special order, Senate file No. 324 was resumed.

The question being a motion to reconsider the vote by which Senator Phelps' amendment, striking the word "spirituous" out of the bill, passed the Senate.

Upon this the yeas and nays were demanded.

On the question, "Shall the motion to reconsider prevail?" the yeas were:

Senators Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Ellis, Funk, Garst, Harmon, Harsh, Henderson, Jamison, Jewett, Lehfeldt, Lewis, Penrose, Perrin, Rea, Reynolds, Rigger, Rowen, Turner, Upton, Vale, Waterman—27.

The nays were:

Senators Andrews, Eaton, Finn, Gorrell, Kilburn, Palmer, Phelps—7.

Absent or not voting:

Senators Baldwin, Bishop, Dent, Downey, Everall, Green, Grone-
weg, Harper, Hipwell, Hurst, Kelly, Mattoon, Oleson, Perry, Terry,
Yeomans—16

So the motion to reconsider prevailed.

Senator Rowen offered the following explanation of his vote:

I am unalterably opposed to the bill, but I vote on the amendment as I wish to give the friends of the bill an opportunity to bring the bill before the Senate.

J. E. ROWEN.

Senator Phelps asked leave to withdraw his amendment offered yesterday, striking out the word, "spirituous," from the bill.

Leave granted and amendment withdrawn.

Senator Harsh offered the following amendment to section 2:

Amend section 2 by striking out of first line of said section the words, "counties and."

Upon this the yeas and nays were demanded.

On the question "Shall the amendment be adopted?" the yeas were

Senators Andrews, Chantry, Eaton, Finn, Gorrell, Harsh, Henderson, Jewett, Kilburn, Lewis, Palmer, Phelps, Reynolds, Turner, Vale—15.

The nays were:

Senators Boardman, Brower, Carpenter, Cheshire, Conaway, Craig, Ellis, Funk, Garst, Harmon, Lehfeldt, Palmer, Penrose, Perrin, Phelps, Rea, Rigger, Upton, Waterman—17.

Absent or not voting:

Senators Baldwin, Bishop, Dent, Downey, Everall, Green, Grone-

weg, Harper, Hipwell, Hurst, Jamison, Kelly, Mattoon, Oleson, Perry, Rowen, Terry, Yeomans—18.

So the amendment was lost.

Senator Carpenter offered the following amendment to section 16:

Amend section 16 by inserting after the words, "fifty dollars," in fifth line, the words, "of the tax paid by each permit holder."

Adopted.

Senator Penrose offered the following amendment to section 13:

Amend section 13 by inserting after the word "of" in the fifth line the words "the ground on which is located."

Adopted.

Senator Penrose offered the following amendment to section 17:

Amend section 17 by inserting before the word "free-holders," in third line, the word "residents."

Adopted.

Senator Ellis moved that further consideration of the special order be postponed until Monday next at 10 o'clock A. M.

Carried.

Senator Yeomans in the chair.

On motion of Senator Lewis, Senate file No. 91, a bill for an act to provide a general levy for State purposes, with report of committee recommending amendments and when so amended that the same do pass was taken up, considered, and the report of the committee was read.

Senator Lewis offered the following substitute to the amendments as offered by the committee.

Amend section 1, strike out "\$1,200,000" in lines 3 and 4 and insert "\$1,300,000."

Strike out "\$1,300,000" in lines 5 and 6 and insert "\$1,200,000."

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the amendments to the following bills in which the concurrence of the House was asked:

House file No. 3, a bill for an act providing for the suppression of the Russian thistle, so called.

House file No. 77, a bill for an act to exempt poultry from attachment and execution.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has appointed the following a joint committee on enrolled bills:

Messrs. Endicott and Jay.

I. K. WILSON,
Chief Clerk.

Senator Ellis moved that Senate file No. 91 be made a special order to follow the special order now under consideration, being Senate file No. 324.

Carried.

Journal of yesterday was read, corrected and approved.

Senator Groneweg moved that the Senate do now adjourn until 9 o'clock A. M., Monday, March 12, 1894.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Monday, March 12, 1894 }

Senate met pursuant to adjournment at 9 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. William Gardner, of Des Moines.

PETITIONS AND MEMORIALS.

Senator Andrews presented a petition from policy holders in insurance companies of Herndon, Iowa, asking amendments to Senate file No. 28.

Referred to Committee on Ways and Means.

Senator Boardman presented petitions from insurance policy holders of Cascade and Farley, Iowa, on same subject.

Same reference.

Senator Bishop presented petitions from insurance policy holders of Rock Rapids and Sheldon, Iowa, on same subject.

Same reference.

Senator Reynolds presented petitions from insurance policy holders of Centerville, Iowa, on same subject.

Same reference.

Senator Harper presented petitions from insurance policy holders of Burlington, Iowa, on same subject.

Same reference.

Senator Harsh presented a petition from A. P. Munson and six other business firms of Creston, Iowa, asking that the part of the revenue bill known as 340, relating to peddlers, be enacted into law.

Same reference.

Senator Hipwell presented petitions from insurance policy holders of Davenport, Iowa, on same subject.

Same reference.

Senator Waterman presented a petition from insurance policy holders of Ottumwa, Iowa, on same subject.

Same reference.

Senator Phelps presented petitions from insurance policy holders of Atlantic, Iowa, on same subject.

Same reference.

Senator Penrose presented a petition from insurance policy holders of Tama, Iowa, on same subject.

Same reference.

Senator Palmer presented petition of Mrs. W. N. Wood and twenty-five other ladies of the P. E. O. Society of Washington county, Iowa, asking passage of a law raising the age of consent.

Referred to Committee on Public Health.

Senator Rowen presented petitions from forty-four citizens and dairymen of Hamilton county, asking the passage of Senate file No. 221, a bill for an act to regulate the coloring of imitation butter and cheese.

Referred to Committee on Agriculture.

Senator Craig presented a petition from 112 citizens of Butler county on same subject.

Same reference.

Senator Kilburn presented a petition from citizens of Madison county on same subject.

Same reference.

Senator Rowen presented petitions from citizens of Wright county protesting against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

A letter was presented by Senator Conaway from Dr. J. W. Cokenower, chairman of the committee arrangements Iowa State Medical Society, relating to Iowa Day at the Midwinter Fair, and the same was read.

On motion of Senator Conaway the secretary was instructed to refer the communication to the Governor.

INTRODUCTION OF BILLS.

By Senator Boardman, Senate file No. 362, a bill for an act to provide for an appropriation for conducting the office of State Dairy Commissioner and for paying the expenses thereof.

Read first and second times and referred to Committee on Appropriations.

By Senator Lewis, by request, Senate file No. 363, a bill for an act to better protect the purchasers of canned goods.

Read first and second times and referred to Committee on Public Health.

By Senator Vale, by request, Senate file No. 364, a bill for an act relating to abstractors of title of real estate, requiring license under

bond and the payment of specified fees and the keeping of an abstract record by the licensee; also regulating abstract fees to be charged and requiring the attachment of certificate to abstract and making such licensed abstractors of title county officers; and also further providing for the keeping of a licensed abstractor's record by the county auditor of each county and making all violations of this act a misdemeanor.

Read first and second times and referred to Committee on Judiciary.

By Senator Vale, by request, Senate file No. 365, a bill for an act amendatory of chapter 8, relating to the duties of the county surveyor, requiring record and certified duplicate of all plats and field notes to be filed in the office of the county auditor.

Read first and second times and referred to Committee on Judiciary.

By Senator Harmon, Senate file No. 366, a bill for an act providing for the formation of co-operative building and loan associations, and prescribing conditions for the regulations and management of all such associations doing a National or State business in the State of Iowa.

Read first and second times and referred to Committee on Banks.

REPORTS OF COMMITTEES.

Senator Harmon, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate file No. 341, a bill for an act to repeal section 2580 of the Code and enact a substitute therefor, relating to venues in actions aided by attachment, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 294, a bill for an act for the punishment of crimes for second and subsequent offenses, and what shall be deemed *prima facie* evidence of a former conviction, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking out the words "and number not less than" in line 11 of section 1, and by adding the words "in the discretion of the court" at the end of section 1. That section 2 be amended by adding at the end of said section the following words: "but proof of such fact shall be submitted to the court alone and shall not be given to the jury," and that when so amended the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 348, a bill for an act to legalize the election for the issuance of bonds to erect water works, held in the incorporated town of Prairie City, Jasper county, Iowa, on March 5, 1894, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 263, a bill for an act to amend section 4 of chapter 47, of the acts of the Sixteenth General Assembly, as amended by sections 4 and 5 of chapter 169 of the acts of the Seventeenth General Assembly, relating to the extension of city or town limits, and the taxation of, or levying of special assessments upon farm, agricultural, or acre property within such city or town limits, for the improvement of streets and highways and the construction of sewers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking out the words "is intended to" in line 11 of section 1 and inserting the word "shall" in lieu thereof, and by inserting after the word "land" in said line of said section the words "in cities of the first class," and that when so amended the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 353, a bill for an act to repeal section 3397, McClain's Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 169, a bill for an act to repeal section 3959 of the Code of 1873 in relation to persons in places of confinement, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 48, a bill for an act to repeal section 963 of the Code, in reference to costs

of appeals in locating highways, and to enact a substitute in lieu thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that section one be amended to read as follows: "SECTION 1. If an appeal has been taken in good faith by the claimant, the petitioner for the highway or the county shall pay the costs. If the appeal be taken by the petitioner he shall pay the costs unless the claimant recovers a less amount than was allowed him by the board. In all other cases the costs shall be taxed in the discretion of the court;" and that when so amended the same be indefinitely postponed.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred substitute for House file No. 1, a bill for an act to protect the maker of notes, beg leave to report that they have had the same under consideration and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 354, a bill for an act to repeal section 3094, McClain's Code (R. No. 2201 c 51 No. 1193), beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 232, a bill for an act to facilitate the transfer of real estate and to perfect the title thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

M. W. HARMON,
Chairman.

Ordered passed on file.

Senator Palmer, from the Committee on Constitutional Amendments and Suffrage, submitted the following report:

MR. PRESIDENT—Your Committee on Constitutional Amendments and

Suffrage, to whom was referred Senate file No. 35, a bill for an act conferring on women the right to vote at municipal elections, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

D. J. PALMER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Constitutional Amendments and Suffrage, to whom was referred Joint Resolution No. 10, providing an amendment to the constitution changing the location of the State University, leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with a substitute and recommend that the same be adopted.

D. J. PALMER,
Chairman.

Substitute read a first and second time and passed on file.

Senator Craig, from the Committee on Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred Senate file No. 339, a bill for an act amending section 1 of title 9 of the Code, as amended by chapter 86, acts of the Twenty-second General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

GEO. M. CRAIG,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred Senate file No. 176, a bill for an act to fix and limit the charges of express companies in the State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

GEO. M. CRAIG,
Chairman.

Ordered passed on file.

Senator Groneweg from the Committee on Manufactures, submitted the following report:

MR. PRESIDENT—Your Committee on Manufactures, to whom was referred Senate file No. 31, a bill for an act to provide for the better protection of life and property by the inspection of all traction, portable and semi-portable steam boilers used in this State, for the purpose of threshing grain, grass seed, shelling corn and grinding feed, sawing wood and lumber, and to provide for the licensing of engineers of such steam boilers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed for the reason

that the principle contained in this bill is embodied in Senate file No. 23, which has been reported back with the recommendation that it do pass.

WM. GRONEWEG,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Manufactures, to whom was referred Senate file No. 23, a bill for an act to establish a board of inspectors for steam boilers and to provide for licensing engineers of steam engines, beg leave to report that they have had the same under consideration and have instructed me to report the substitute offered by the committee back to the Senate with the recommendation that it do pass.

WM. GRONEWEG,
Chairman.

Substitute read first and second times and ordered passed on file.

Senator Waterman, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 208, a bill for an act to amend section 456 of the Code of 1873, relating to railways in cities and towns, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 95, a bill for an act enlarging and increasing the powers and duties and privileges of city councils in the cities of the State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 75, a bill for an act to establish a standard form of bond to be used by counties, cities and school districts of the State of Iowa and making them a safe and convenient investment for the savings of the people, and repealing all laws in conflict therewith, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 343, a bill for an act relating to the appointment of marshals and deputy marshals in cities of the second class, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 253, a bill for an act for the more speedy detection of crime, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 214, a bill for an act to amend section 2, chapter 11 of the acts of the Twenty-second General Assembly, relating to the establishment and maintenance of water-works, gas and electric light plants, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 313, a bill for an act to give county supervisors power to protect public grounds belonging to counties from trespassers and providing penalties therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns to whom was referred Senate file No. 63, a bill for an act to prevent and punish fraudulent sales of goods, wares and merchandise at private sale by itinerant venders and to regulate such sales, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Senator Rea, from the Committee on Fish and Game, submitted the following report:

MR. PRESIDENT—Your Committee on Fish and Game, to whom was referred Senate file No. 174, a bill for an act to amend section ten (10), of chapter thirty-four (34), acts of the Twenty-third General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows:

By striking out the words "to read," in section 1, line 8; also by striking out of said section 1 the words in the lines from 10 to 27 inclusive, and inserting in lieu thereof the words: "By adding to said section the following words."

And that as thus amended, the bill do pass.

J. M. REA,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Fish and Game, to whom was referred Senate file No. 237, a bill for an act to amend section 10 of chapter 70 of the acts of the Sixteenth General Assembly, as amended by chapter 92 of the acts of the Eighteenth General Assembly, in relation to the taking of fish from the waters of the Mississippi, Missouri and Des Moines rivers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. M. REA,
Chairman.

Ordered passed on file.

REPORT OF SENATE WAYS AND MEANS COMMITTEE.

MR. PRESIDENT—I am instructed by the Committee on Ways and Means to submit the following statement and estimate concerning the finances of the State:

During the period beginning July 1, 1893, and ending March 3, 1894, there was received at the treasury \$ 893,918.90

It is estimated that during the remainder of the month of March the receipts will be 177,081.10

Making the receipts for the first nine months of the present fiscal term. \$1,071,000.00
There was a balance in the treasury July 1, 1893, of 412,981.45

Making total resources for the period named... .. \$1,483,981.45

During the same period warrants were issued amounting to..... \$1,166,167.14
And there were outstanding July 1, 1893..... 21,281.28

It is estimated that the warrants issued during the remainder of the month of March will amount to..... 137,552.00

Making a total to be met of. \$1,325,000.42

Estimated balance in the treasury April 1 over and above the amount of warrants then probably outstanding..... \$ 158,981.00

The committee estimates that the receipts of general revenue at the treasury for the period of two years beginning April 1, 1894, will be..... 3,436,330.00

Making the total resources of the period.. \$3,595,311.00

The expenditures for the same period, including amount estimated by the auditor of State for clerk hire and other allowances, such as are made at each session of the General Assembly, but not including any estimate for moneys not yet appropriated for new buildings or improvements, will be approximately.....\$3,000,000.00

Besides the special appropriations yet undrawn made by former General Assemblies, amounting in all to..... 202,764.00

Total estimated expenditures..... \$3,202,764.00

Leaving available for special appropriations..... \$ 392,547.00

It is proper to say that perhaps a part of the special appropriations yet undrawn will never be called for, and that of the aggregate amount of moneys which may be allowed by this General Assembly a part will remain undrawn two years hence. Possibly \$100,000 may be added to the foregoing balance on account of such probability, making available, say \$492,000.

The committee is satisfied that this is the extreme limit of the amount which can be appropriated at this session of the General Assembly upon the basis of the present maximum levy without incurring indebtedness.

The receipts above estimated may be itemized as follows:

| | |
|---|----------------|
| From a two-mills levy and interest on delinquent taxes..... | \$2,255,000.00 |
| From insurance companies for taxes | 260,000.00 |
| From telegraph and telephone companies for taxes. | 42,000.00 |
| From fees, including those for oil inspection | 102,000.00 |
| From counties for the support of the insane..... | 625,000.00 |
| From counties for the care of orphans at the Home | 40,000.00 |
| From counties for clothing for inmates of the institutions for the blind, the deaf, and the feeble-minded | 22,000.00 |
| From the United States, aid for Soldiers' Home | 68,000.00 |
| From the labor of convicts, peddlers' licenses, the sale of laws, and miscellaneous sources..... | 22,330.00 |
| Aggregate..... | \$3,436,330.00 |

It is assumed that the expenditures for the ensuing two years will be fully as large in amount as that estimated by the auditor for those of the current fiscal term, after deducting the sum of \$45,000 included in the auditor's estimate as going to the University, which, in the opinion of your committee, has not yet been appropriated. The committee has added to some of the items amounts which in its opinion will be required during the ensuing two years above what the auditor deems necessary for the current fiscal term. These items appear in the following detailed statement of probable expenditures:

| | |
|---|----------------|
| Auditor's estimate for the current fiscal term, after deducting \$45,000 as above | \$2,817,770.00 |
| Increase of continuing expenditures made at this session, in the creation of a new judgeship..... | 5,000.00 |
| Appropriation for State Agricultural Society..... | 20,000.00 |
| Additional amount for care of insane..... | 30,000.00 |
| Additional amount for removal of non-resident insane..... | 1,000.00 |
| Additional amount for penitentiary at Anamosa..... | 35,000.00 |
| Additional amount for Soldiers' Home | 30,000.00 |
| Additional amount for School for the Deaf..... | 8,000.00 |
| Additional amount for Institution for Feeble-Minded | 8,000.00 |
| Additional amount for stationery contract, printing and binding | 10,000.00 |
| Additional amount for miscellaneous expenditures..... | 35,230.00 |
| Aggregate | \$3,000,000.00 |

The undrawn special appropriations of former General Assemblies are as follows:

| | |
|---|---------------|
| For the University | \$ 14,022.00 |
| For the Normal School..... | 6,175.00 |
| For the College for the Blind .. | 7,665 00 |
| For the Industrial Home for the Blind..... | 1,000.00 |
| For the Soldiers' Home | 5,250.00 |
| For the Institution for Feeble-Minded Children..... | 850.00 |
| For the Soldiers' Orphans' Home..... | 4,523.00 |
| For the penitentiary at Anamosa. | 2,455.00 |
| For the penitentiary at Ft. Madison..... | 3,964.00 |
| For the geological survey.. | 1,776.00 |
| For the soldiers' monument..... | 155,084.00 |
| Total.. | \$ 202,764.00 |

Respectfully submitted,

J. B. HARSH,
Chairman.

March 12, 1894.

On motion of Senator Perrin, Joint Resolution No. 5, to amend the constitution of the State of Iowa, relative to the manufacture, sale and keeping for sale of all intoxicating liquors, with report of committee recommending that same be adopted, was taken up, considered, and the report of the committee was read.

Senator Perrin moved that the joint resolution be adopted.

Senator Upton was granted a leave of absence indefinitely.

Senator Perrin moved that the joint resolution be read a third time now.

Senator Brower moved that further consideration be postponed until next Thursday.

Senator Funk moved a suspension of the rules, and to amend Senator Brower's motion by fixing the time for consideration of the resolution to follow Senate file No. 91.

Amendment accepted.

The hour for the special order having arrived, Senate file No. 324 was taken up.

Senator Ellis offered the following amendment to section 19:

I move as an amendment to Senate file No. 324 to strike out subdivisions Nos. "3 and 4" of section 19 of said bill.

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senator Ellis—1.

The nays were:

Senators Andrews, Boardman, Chantry, Cheshire, Conaway, Craig, Eaton, Finn, Funk, Garst, Gorrell, Harmon, Harsh, Henderson, Jewett, Lehfelddt, Lewis Palmer, Penrose, Phelps, Rea, Reynolds, Riggen, Rowen, Turner, Vale, Waterman—27.

Absent or not voting:

Senators Baldwin, Bishop, Brower, Carpenter, Dent, Downey, Everall, Green, Groneweg, Harper, Hipwell, Hurst, Jamison, Kelly, Kilburn, Mattoon, Oleson, Perrin, Perry, Terry, Upton, Yeomans—22.

So the amendment was lost.

Senator Lewis offered the following substitute for section 2, and moved its adoption:

For the purposes of this act cities having a population of five thousand or more and all counties in the State are election districts.

Adopted.

Senator Penrose offered the following amendment to section 15:

Strike out all after the word "permit," the first time it appears in line 2, section 15, and insert the following: "Whenever any permit is revoked under the provisions of this act the fact of such revocation shall be certified to the county auditor by the clerk of the district court and thereafter further taxes shall not be assessed against such permit holder by said auditor."

Adopted.

Senator Lewis offered the following amendment to section nineteen:

Amend section nineteen, line nine, by striking out the word "Sabbath" and inserting, "first day of the week commonly known as Sunday."

Adopted.

Senator Waterman offered the following substitute for section two:

For the purposes of this act each city having a population of 5,000 or more, and each county exclusive of any such city shall be an election district.

Adopted.

Senator Turner in the chair.

President Dungan in the chair.

Journal of Saturday was read, corrected and approved.

Senator Harmon asked that Senate file No. 48 be re-referred to Committee on Judiciary.

It was so ordered.

Senator Finn moved that the rule be suspended and that the Senate do now adjourn until 7:30 this evening.

Carried.

The Senate adjourned.

EVENING SESSION.

Senate met pursuant to adjournment, at 7:30 p. m.; President Dungan presiding.

House file No. 80, a bill for an act to regulate the cancellation of mortgages with report of committee recommending indefinite postponement was taken up and the report of the committee was read.

Senator Harsh moved that the bill be read a third time now.

Senator Finn moved that the report of the committee be concurred in.

Upon this the yeas and nays were demanded.

On the question, "Shall the report of the committee be concurred in?" the yeas were:

Senators Boardman, Cheshire, Craig, Dent, Downey, Finn, Green, Harmon, Harper, Hurst, Jamison, Perrin, Perry, Phelps, Rea, Rikken, Terry, Upton—18.

The nays were:

Senators Baldwin, Chantry, Conaway, Everall, Funk Gorrell, Groneweg, Harsh, Henderson, Kelly, Kilburn, Lewis, Mattoon, Oleson, Palmer, Turner—16.

Absent or not voting:

Senators Andrews, Bishop, Brower, Carpenter, Eaton, Ellis, Garst, Hipwell, Jewett, Lehfeltdt, Penrose, Reynolds, Rowen, Vale, Waterman, Yeomans—16.

So the report of the committee was concurred in.

Senator Dent asked leave to introduce a bill.

Leave granted.

INTRODUCTION OF BILLS.

By Senator Dent, by request, Senate file No. 367, a bill for an act to repeal section 1888 of the Code, and enact a substitute therefor.

Read first and second times and referred to Committee on Libraries.

Senator Craig offered the following resolution and moved its adoption:

Resolved, That Senate files Nos. 264, 137 and 101, which have all been recommended by the committees to which they have been referred for indefinite postponement, be and the same are hereby indefinitely postponed.

Adopted.

Senator Craig offered the following resolution and moved its adoption:

Resolved, That House file No. 169, and Senate files Nos. 31, 75, 95, 203, 214, 253, 292, 313 and 343, which have all been recommended by the committees to which they have been referred for indefinite postponement, be and the same are indefinitely postponed.

Adopted.

Senate file No. 62, a bill for an act authorizing the board of supervisors of Marshall county, Iowa, to locate a highway over lands owned by the State, with report of committee recommending a substitute, and that the substitute do pass, was taken up, and the substitute read first and second times.

Senator Turner moved that the rule be suspended, and the bill be considered engrossed and read a third time now.

Carried.

Senator Turner moved that the reading just finished be considered the third reading.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Brower, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Everall, Finn, Funk, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hurst, Jamison, Jewett, Kelly, Kilburn, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Waterman—41.

The nays were:

None.

Absent or not voting:

Senators Andrews, Carpenter, Ellis, Garst, Hipwell, Lehfelddt, Mattoon, Vale, Yeomans—9.

So the bill passed and the title was agreed to.

Senate file No. 94, a bill for an act to authorize the commissioners of the Iowa Soldiers' Home to grant right of way for an electric street car line over State grounds, with report of committee recommending amendments, and that as amended the same do pass, was taken up, considered, and the report of the committee adopted.

Senator Turner moved that the rule be suspended, and the bill be considered engrossed and read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Brower, Chantry, Cheshire, Conaway, Dent, Downey, Everall, Finn, Funk, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hurst, Jamison, Jewett,

Kelly, Kilburn, Lehfelddt, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Waterman—39.

The nays were:

None.

Absent or not voting:

Senators Andrews, Carpenter, Craig, Eaton, Ellis, Garst, Hipwell, Lewis, Mattoon, Vale, Yeomans—11.

So the bill passed and the title was agreed to.

House file No. 9, a bill for an act for the relief of the grantees of Antonie Klein, and for the purpose of having a patent in his name for a certain tract of land, with report of committee recommending passage, was taken up, considered, and the report of the committee was read.

Senator Perry moved that the bill be read a third time now.

Carried.

Senator Harper moved that the reading just finished be considered the third reading.

Carried.

Senator Upton asked to be excused from voting on this bill, he not being acquainted with its provisions.

Excused.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Brewer, Chantry, Cheshire, Conaway, Dent, Downey, Eaton, Everall, Finn, Funk, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Oleson, Palmer, Perrin, Perry, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Waterman—37.

The nays were:

None.

Absent or not voting:

Senators Andrews, Carpenter, Craig, Ellis, Garst, Hurst, Lewis, Mattoon, Penrose, Phelps, Upton, Vale, Yeomans—13.

So the bill passed and the title was agreed to.

House file No. 113, by Haugan, a bill for an act to legalize the incorporation of the associated Norwegian Evangelical Lutheran Congregation in Worth county, Iowa, and in the southern part of Freeborn county, Minnesota, was taken up and the report of the committee was read.

Senator Jewett moved that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Brower, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Everall, Finn, Funk, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Waterman—43.

The nays were:

None.

Absent or not voting:

Senators Andrews, Carpenter, Ellis, Garst, Mattoon, Vale, Yeomans—7.

So the bill passed and the title was agreed to.

Senate file No. 245, a bill for an act to amend chapter 13, title 22, of the Code, in relation to the State Library, as amended by chapter 13, acts of the Nineteenth General Assembly, and chapter 191, acts of the Twentieth General Assembly, with report of committee recommending amendments, and when so amended that the bill do pass, was taken up, considered, and the report of the committee adopted.

Senator Groneweg moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Brower, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Everall, Finn, Funk, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Rigger, Rowen, Terry, Turner, Upton, Waterman—39.

The nays were:

None.

Absent or not voting:

Senators Andrews, Carpenter, Eaton, Ellis, Garst, Hipwell, Phelps, Rea, Reynolds, Vale, Yeomans—11.

So the bill passed and the title was agreed to.

Senate file No. 284, a bill for an act to legalize the incorporation of St. Charles, Madison county, and all acts of its council passed since said town was incorporated, with report of committee recommending amendments and when so amended that same do pass, was taken up, considered, and the report of the committee adopted.

Senator Kilburn moved that the rule be suspended and the bill be considered engrossed and read a third time now.

Carried.

Senator Cheshire moved that the reading just finished be considered the third reading.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Brower, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Everall, Finn, Funk, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Rowen, Terry, Turner—39

The nays were:

None.

Absent or not voting:

Senators Andrews, Carpenter, Ellis, Garst, Hipwell, Reynolds, Rikken, Upton, Vale, Waterman, Yeomans—11.

So the bill passed and the title was agreed to.

House file substitute for Senate file No. 12, a bill for an act to authorize certain cities of the first class to purchase and condemn land for street purposes within said cities when said streets cross ravines or where it is necessary to widen the street to construct embankments, with report of committee recommending passage, was taken up and the report of the committee was read.

Substitute was read first and second times.

Senator Harper moved that the rule be suspended, and the bill be considered engrossed and read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators, Baldwin, Bishop, Boardman, Brower, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Funk, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Rikken, Rowen, Terry, Turner, Upton, Waterman.—39.

The nays were:

None.

Absent or not voting:

Senators Andrews, Carpenter, Eaton, Ellis, Everall, Finn, Garst, Hipwell, Reynolds, Vale, Yeomans—11.

So the bill passed and the title was agreed to.

On motion of Senator Harper, House file No. 379, a bill for an act to legalize the incorporation and the acts of the town council of the town of Mediapolis, Des Moines county, State of Iowa, was taken up and read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Bishop, Boardman, Brower, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Finn, Funk, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfeldt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Kea, Rigger, Rowen, Terry, Upton, Waterman—38.

The nays were:

None.

Absent or not voting:

Senators Andrews, Baldwin, Carpenter, Eaton, Ellis, Everall, Garst, Hipwell, Reynolds, Turner, Vale, Yeomans—12.

So the bill passed and the title was agreed to.

Substitute for Senate file No. 315, a bill for an act applying sections 318 and 319 of the Code to taxes levied and collected by cities and towns under section 3049 of the Code, and chapter 57 of the acts of the Sixteenth General Assembly, with report of committee recommending a substitute, and that substitute do pass, was taken up, and the report of the committee was read.

Substitute was read first and second times.

Senator Harmon moved that the rule be suspended, and the bill be considered engrossed and read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Finn, Funk, Gorrell, Green, Groneweg, Harmon, Harper, Henderson, Jamison, Kelly, Kilburn, Lehfeldt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Rigger, Rowen, Terry, Turner, Upton, Waterman—36.

The nays were:

None.

Absent or not voting:

Senators Andrews, Brower, Carpenter, Eaton, Ellis, Everall, Garst, Harsh, Hipwell, Hurst, Jewett, Reynolds, Vale, Yeomans—14.

So the bill passed and the title was agreed to.

Senator Green moved that the Senate do now adjourn.

Lost.

House file No. 452, a bill for an act to legalize the acts of the board of directors of the independent district of Iowaville, Van Buren county, Iowa, and of the board of directors of the district township of Des Moines, in Jefferson county, Iowa, in relation to the transfer of territory from one district to the other for school purposes, with report of committee recommending passage, was taken up and the report of the committee was read.

Senator Harmon moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Cheshire, Conaway, Craig, Dent, Downey, Finn, Funk, Gorrell, Green, Groneweg, Harmon, Harper, Jamison, Jewett, Kelly, Lehfeldt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Rigger, Terry, Turner, Upton, Waterman—34.

The nays were:

None.

Absent or not voting:

Senators Andrews, Brower, Carpenter, Chantry, Eaton, Ellis, Everall, Garst, Harsh, Henderson, Hipwell, Hurst, Kilburn, Reynolds, Rowen, Vale, Yeomans—16.

So the bill passed and the title was agreed to.

On motion Senate file No. 309, a bill for an act to amend chapter one (1) of the acts of the Twenty-fourth General Assembly, entitled "an act to establish a board of park commissioners in certain cities of the first-class, defining their powers and prescribing their duties," and to further extend the powers and prescribe the duties of such commissioners, with report of committee recommending passage was taken up, and the report of the committee was read.

Senator Cheshire moved that the rule be suspended, and the bill be considered engrossed and read a third time now.

Carried.

Senator Lewis moved that the reading just finished be considered third reading.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Cheshire, Conaway, Craig, Dent, Downey, Finn, Funk, Gorrell, Green, Groneweg, Harmon, Harper, Henderson, Jamison, Jewett, Kelly, Kilburn, Lehfeldt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Phelps, Rea, Rigger, Terry, Turner, Upton, Waterman—34.

The nays were:

None.

Absent or not voting:

Senators Andrews, Brower, Carpenter, Chantry, Eaton, Ellis, Everall, Garst, Harsh, Hipwell, Hurst, Perry, Reynolds, Rowen, Vale, Yeomans—16.

So the bill passed and the title was agreed to.

Senate file No. 184, a bill for an act to legalize the ordinances of the incorporated town of West Decorah, Iowa, with report of com-

mittee recommending that House amendment be concurred in, was taken up, considered, and the report of the committee adopted.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Cheshire, Conaway, Craig, Dent, Downey, Funk, Gorrell, Green, Groneweg, Harmon, Harper, Hendersen, Hipwell, Jamison, Jewett, Kelly, Lehfelddt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Rea, Rigger, Terry, Turner, Upton, Waterman—32.

The nays were:

None.

Absent or not voting:

Senators Andrews, Brower, Carpenter, Chantry, Eaton, Ellis, Everall, Finn, Garst, Harsh, Hurst, Kilburn, Perry, Phelps, Reynolds, Rowen, Vale, Yeomans—18.

So the bill passed and the title was agreed to.

Senate file No. 259, a bill for an act to legalize the levy of certain taxes for certain years in Dickinson county, Iowa, with report of committee recommending amendments and when so amended that same do pass, was taken up and the report of the committee was read.

Senator Funk offered the following substitute for committee report of section 2:

SEC. 2. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State *Register* and the Des Moines *Leader*, newspapers published in Des Moines, Iowa, without expense to the State.

Adopted.

Senator Funk offered the following amendment:

Strike out the word "aforesaid," from the second line of section 1.

Adopted.

Senator Funk moved that the rule be suspended, and the bill as amended be considered engrossed and read a third time now which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Cheshire, Conaway, Craig, Dent, Downey, Finn, Funk, Gorrell, Green, Groneweg, Harmon, Harper, Henderson, Hipwell, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Rea, Rigger, Terry, Turner, Upton, Waterman—34.

The nays were:

None.

Absent or not voting:

Senators Andrews, Brower, Carpenter, Chantry, Eaton, Ellis, Everall, Garst, Harsh, Hurst, Perry, Phelps, Reynolds, Rowen, Vale, Yeomans—16.

So the bill passed and the title was agreed to.

Senate file No. 310, a bill for an act to legalize the assessment and collection of taxes under the provisions of chapter 1, of the acts of the Twenty-fourth General Assembly, with report of committee recommending amendments, and when so amended that the same do pass, was taken up, considered, and the report of the committee adopted.

Senator Cheshire moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Cheshire, Conaway, Craig, Dent, Downey, Finn, Funk, Gorrell, Green, Groneweg, Harmon, Harper, Henderson, Hipwell, Jamison, Jewett, Kelly, Kilburn, Lehfeldt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Rea, Rigger, Terry, Turner—31.

The nays were:

None.

Absent or not voting:

Senators Andrews, Boardman, Brower, Carpenter, Chantry, Eaton, Ellis, Everall, Garst, Harsh, Hurst, Perry, Phelps, Reynolds, Rowen, Upton, Vale, Waterman, Yeomans—19.

So the bill passed and the title was agreed to.

Senate file No. 344, bill for an act to legalize the incorporation of the town of Beaman, Grundy county, Iowa, the election of its officers and all the acts done and ordinances passed by the council of said town.

Senator Rea moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Cheshire, Conaway, Craig, Dent, Downey, Finn, Funk, Gorrell, Green, Groneweg, Harmon, Harper, Henderson, Hipwell, Jamison, Jewett, Kelly, Kilburn, Lehfeldt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Rea, Rigger, Terry, Waterman—31.

The nays were:

None.

Absent or not voting:

Senators Andrews, Boardman, Brower, Carpenter, Chantry, Eaton, Ellis, Everall, Garst, Harsh, Hurst, Perry, Phelps, Reynolds, Rowen, Turner, Upton, Vale, Yeomans—19.

So the bill passed and the title was agreed to.

Senator Kelly moved that the Senate do now adjourn until 9 o'clock A. M. to-morrow.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday March 13, 1894. }

Senate met in regular session at 9 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. J. J. Wilkins, D. D., of Des Moines.

PETITIONS AND MEMORIALS.

Senator Rowen presented petitions from policy holders in insurance companies of Eldora and Webster City, Iowa, asking amendments to Senate file No. 28.

Referred to Committee on Ways and Means.

Senator Harmon presented a petition from insurance policy holders of Manchester, Iowa, on same subject.

Same reference.

Senator Harper presented petitions from insurance policy holders of Burlington and Des Moines, Iowa, on same subject.

Same reference.

Senator Bishop presented a petition from insurance policy holders of Spirit Lake, Iowa, on same subject.

Same reference.

Senator Hipwell presented petitions from insurance policy holders of Davenport, Iowa, on same subject.

Same reference.

Senator Oleson presented petitions from insurance policy holders of Ft. Dodge and Cedar Rapids, Iowa, on same subject.

Same reference.

Senator Rowen presented petition from citizens of Cedar Rapids and Richmond, Iowa, asking passage of a law raising the age of consent.

Referred to Committee on Public Health.

Senator Harmon presented petitions from forty-four citizens and dairymen of Buchanan county, asking the passage of Senate file No. 221, a bill for an act to regulate the coloring of imitation butter and cheese.

Referred to Committee on Agriculture.

Senator Oleson presented a petition from citizens of Webster county on same subject.

Same reference.

Senator Terry presented a petition from citizens of Linn county, Iowa, on same subject.

Same reference.

Senator Rowen presented a petition from ladies of Cedar Rapids, Iowa, asking that no law be passed whereby payment of money shall be made a bar to prosecutions under the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Also:

A petition from citizens of his district asking that there be no change made in the prohibitory law.

Same reference.

Senator Terry presented petitions from citizens of Linn county, Iowa, on same subject.

Same reference.

Senator Reynolds presented a petition from citizens of Bloomfield, Iowa, on the same subject.

Same reference.

Senator Penrose presented petitions from bars of Tama, Benton and Marshall counties, asking a change in the Eleventh and Seventeenth judicial districts.

Referred to Committee on Judicial Districts.

Senator Boardman presented a petition from the Story county bar protesting against a change in the Eleventh and Seventeenth judicial districts.

Same reference.

Senator Oleson presented a petition from the legislative committee of the Auditors' Association of Iowa, asking passage of House file No. 574.

Referred to Committee on Compensation of Public Officers.

Senator Harsh presented a petition from R. M. Pollock and 76 other citizens of Union county asking that no change be made in road laws of the State.

Referred to Committee on Highways.

INTRODUCTION OF BILLS.

By Committee on Judiciary, Senate file No. 368, a bill for an act to increase the number of judges of the Supreme court, and providing for the division of said court.

Read first and second times and passed on file.

By Senator Penrose, Senate file No. 369, a bill for an act to amend section 3 of chapter 134 of the acts of the Twenty-first General

Assembly, relative to the Eleventh and Seventeenth judicial districts.

Read first and second times and referred to Committee on Judicial Districts.

REPORTS OF COMMITTEES.

Senator Harsh, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 61, a bill for an act providing the manner the county treasurer and county auditor shall keep the accounts and make settlements relating to the county revenue, ask leave to report that they have had the same under consideration, and has instructed me to report the same back to the Senate with the recommendation that the bill do pass.

J. B. HARSH,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 142, a bill for an act to regulate and equalize the assessment laws and compel the owners of notes, mortgages, and other securities to pay their just proportion of taxes whether they reside in Iowa or elsewhere, asks leave to report that it has had the same under consideration and has instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. B. HARSH,
Chairman.

Ordered passed on file.

Senator Harmon, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 48, a bill for an act to repeal section 963 of the Code, in reference to costs of appeals in locating highways, and to enact a substitute in lieu thereof, beg leave to report that they had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that section 1 be amended to read as follows:

SECTION 1. If an appeal has been taken in good faith by the claimant, the petitioner for the highway or the county shall pay the costs. If the appeal be taken by the petitioner, he shall pay the costs, unless the claimant recovers a less amount than was allowed him by the board. In all other cases the costs shall be taxed in the discretion of the court, and a majority of the committee recommend that when so amended the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 287, a bill for an act to provide for the liability of operators of coal mines and the negligence of agent and other employes in certain cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that section 1 be amended to read as follows:

"SECTION 1. That every person, co-partnership, or corporation operating a coal mine in this State, shall be liable for all damages sustained by any of their employes in consequence of the negligence of the mine foreman, engineer, or timberman of such person, co-partnership, or corporation aforesaid, and no contract which restricts such liability shall be legal or binding." That section 2 be stricken out. And a majority of the committee recommend that the same be indefinitely postponed.

M. W. HARMON,
Chairman.

Ordered passed on file.

Senator Turner, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred House file No. 35, a bill for an act fixing the time in which action may be brought on contracts of insurance, amending chapter 211 of the Eighteenth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. A. TURNER,
Chairman.

Ordered passed on file.

Senator Craig, from the Committee on Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred Senate file No. 328, a bill for an act to regulate foreign building, loan and home-stead associations doing business in the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

GEO. M. CRAIG,
Chairman.

Ordered passed on file.

Senator Vale, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 355, a bill for an act to establish a school of mines for the State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the word "State" be inserted before the word "agricultural" in sections 1 and 3, also that sections 4 and 5 be eliminated from the bill, and when so amended that the bill do pass.

B. R. VALE,
Chairman.

Ordered passed on file.

Senator Eaton, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred Joint Resolution No. 1, a bill for an act relative to instructing our Senators in Congress to use their best efforts to procure the postponement of the passage of the Wilson bill until after the next general election, beg leave to report that they have

had the same under consideration and a majority of said committee have instructed me to report the same back to the Senate with the recommendation that the same be adopted.

WILLIAM EATON,
Chairman.

Ordered passed on file.

On motion of Senator Rea House Joint Resolution No. 7, covering into the State treasury certain moneys unexpended by the State Fish Commission with report of committee recommending passage, was taken up for consideration.

Senator Rea moved that the rule be suspended, and the bill be considered engrossed and read a third time now.

Senator Lewis moved that the resolution be so amended as to make it a bill by inserting an enacting clause.

Carried.

The joint resolution is now Senate file No. 370.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Brower, Chantry, Cheshire, Craig, Dent, Downey, Eaton, Everall, Finn, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman—45.

The nays were:

None.

Absent or not voting:

Senators Andrews, Carpenter, Conaway, Ellis, Yeomans—5.

So the bill passed and the title was agreed to.

Senator Perrin moved that Joint Resolution No. 9 be taken up.

Lost.

On account of a misunderstanding as to the nature of this resolution when vote was taken the objections were withdrawn and Joint Resolution No. 9, in reference to the republic of Hawaii, was taken up for consideration.

Senator Perrin moved that the joint resolution be read a third time now which motion prevailed, and the joint resolution was read a third time.

On the question, "Shall the joint resolution pass?" the yeas were:

Senators Andrews, Baldwin, Boardman, Brower, Chantry, Cheshire, Conaway, Craig, Eaton, Ellis, Everall, Finn, Funk, Garst, Gorrell, Groneweg, Harmon, Harsh, Henderson, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Rowen, Turner, Upton, Vale, Waterman—36.

The nays were:

Senators Downey, Green, Harper, Hipwell, Hurst, Mattoon, Perry, Terry—8.

Absent or not voting:

Senators, Bishop, Carpenter, Dent, Ellis, Oleson, Yeomans—6.

So the joint resolution passed.

The hour for the special order having arrived, consideration of Senate file No. 324 was resumed.

Senator Andrews in the chair.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the Senate amendments to the following bills:

House file No. 19, a bill for an act to legalize the election of trustees and articles of incorporation of Fells' cemetery, town of Libertyville.

House file No. 32, a bill for an act to legalize the organization of Independent School District of Avoca, Pottawattamie county, Iowa.

House file No. 87, a bill for an act to legalize the levy of certain taxes of Center township, Mills county, Iowa.

House file No. 88, a bill for an act to legalize the levy of certain taxes of Platts-ville township, Mills county, Iowa.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution in which the concurrence of the Senate is asked:

Relative to holding a joint convention for the purpose of electing officers of the various State institutions.

I. K. WILSON,
Chief Clerk.

President Dungan in the chair.

Yesterday's journal was read, corrected and approved.

Senator Jamison moved that the Senate do now adjourn until 2 o'clock P. M.

Carried.

The Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2 o'clock P. M., President Dungan presiding.

Consideration of the special order was resumed.

Senator Bishop in the chair.

Senator Oleson offered the following resolution:

WHEREAS, The State Pharmaceutical Association is in session in this city, be it

Resolved, That the members of said society be admitted to the floor of the Senate.

Adopted.

Senator Chantry, from the Committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred Senate file No 283, a bill for an act to establish a State board of charities, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

A. J. CHANTRY,
Chairman.

Ordered passed on file.

Senator Funk moved that the Senate do now adjourn until 9 o'clock A. M. to-morrow.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, March 14, 1894. }

Senate met in regular session at 9 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. C. H. Stearns, of Des Moines.

PETITIONS AND MEMORIALS.

Senator Upton presented petitions from policy holders in insurance companies of Cresco, Iowa, asking amendments to Senate file No. 28.

Referred to Committee on Ways and Means.

Senator Baldwin presented petitions from insurance policy holders of Dubuque and Cascade, Iowa, on same subject.

Same reference.

Senator Hipwell presented petitions from insurance policy holders of Davenport, Iowa, on same subject.

Same reference.

Senator Oleson presented petitions from insurance policy holders of Ft. Dodge, Iowa, on same subject.

Same reference.

Senator Terry presented petitions from insurance policy holders of Cedar Rapids, Iowa, on same subject.

Same reference.

Senator Harsh presented a petition from insurance policy holders of Creston, Iowa, on same subject.

Same reference.

Senator Chantry presented a petition from insurance policy holders of Elliott and Stennett, Iowa, on same subject.

Same reference.

Senator Jewett presented a petition from Insurance policy holders of Lake Mills, Iowa, on same subject.

Same reference.

Senator Garst presented petitions from insurance policy holders of Scranton and Coon Rapids, Iowa, on same subject.

Same reference.

Senator Bishop presented a petition from insurance policy holders of Larchwood, Iowa, on same subject.

Same reference.

Senator Green presented a petition from insurance policy holders of his district on same subject.

Same reference.

Senator Phelps presented petitions from insurance policy holders of Atlantic, Iowa, on same subject.

Same reference.

Senator Perry presented petitions from citizens and dairymen of Marion county, asking the passage of Senate file No. 221, a bill for act to regulate the coloring of imitation butter and cheese.

Referred to Committee on Agriculture.

Senator Funk presented petitions from citizens of Emmet county, Iowa, on same subject.

Same reference.

Senator Brower presented a petition from citizens of Clear Lake, Iowa, on same subject.

Same reference.

Senator Lewis presented a petition from citizens of Cleveland, Iowa, asking passage of a law raising the age of consent.

Referred to Committee on Public Health.

Senator Reynolds presented a petition from citizens of Centerville, Iowa, on the same subject.

Same reference.

Senator Palmer presented a petition from Rev. J. C. W. Coxe and 125 other citizens of Washington, Iowa, on same subject.

Same reference.

Senator Reynolds presented a petition from citizens of Centerville, Iowa, asking that no law be passed whereby payment of money shall be made a bar to prosecutions under the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Bishop presented a series of resolutions, and asked that they be read, from Sioux County Teachers' Association in relation to Senate file No. 21.

Passed on file.

Senator Andrews presented a petition, and asked that it be read, from 129 citizens of Perry, Iowa, asking for the repeal of the law against prize fighting.

Referred to Committee on Judiciary.

Senator Conaway presented a petition from the Iowa State Teachers' Association, asking a law providing for the printing of the proceedings of the State Teachers' Association at public expense.

Referred to Committee on Printing.

Senator Terry presented a petition from same parties on same subject.

Same reference.

INTRODUCTION OF BILLS.

By Senator Brower, Senate file No. 371, a bill for an act authorizing railroad corporations now existing or hereafter created, including consolidated corporations, to provide by by-law or otherwise for conferring on bondholders the right to vote at corporate elections.

Read first and second times and referred to Committee on Railroads.

By Senator Vale, Senate file No. 372, a bill for an act to amend section 797 of the Code of Iowa and to exempt from taxation certain libraries, works of art and museums kept for public use.

Read first and second times and referred to Committee on Libraries.

By Senator Waterman, Senate file No. 373, a bill for an act to amend chapter 7 of the acts of the Twenty-second General Assembly, relating to the appointment of city marshals.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Palmer, Senate file No. 374, a bill for an act to legalize the election held in town of Riverside, county of Washington, and State of Iowa.

Read first and second times and referred to Committee on Judiciary.

HOUSE MESSAGES.

On motion of Senator Funk House concurrent resolution relative to a joint convention to elect trustees, regents, officers and commissioners of the various State institutions, was taken up for consideration.

HOUSE CONCURRENT RESOLUTION RELATIVE TO A JOINT CONVENTION TO ELECT TRUSTEES, REGENTS, OFFICERS AND COMMISSIONERS OF THE VARIOUS STATE INSTITUTIONS.

Resolved by the House, the Senate concurring, That a joint convention be held in the hall of the House on Thursday, the 15th day of March, at 2 o'clock P. M., for the purpose of electing trustees, regents, officers and commissioners of the various State institutions, also State binder, State printer and wardens of the penitentiaries at Ft. Madison and Anamosa.

Senator Funk moved that the concurrent resolution be adopted.

Carried.

Senator Funk moved to reconsider the vote by which the concurrent resolution was adopted.

Carried.

Senator Funk moved to amend by adding "warden of the penitentiary at Anamosa" to the resolution.

Carried.

Senator Funk moved that the resolution as amended be adopted.

Carried.

REPORTS OF COMMITTEES.

Senator Perry submitted the following minority report from the Judiciary Committee:

MINORITY REPORT.

MR. PRESIDENT—The Judiciary Committee, to whom was referred Senate file No. 325, a bill for an act to prevent fire insurance companies from stipulating against liability for representations and statements made by their authorized agents, have reported the bill back to the Senate with the recommendation that it be indefinitely postponed; from which conclusion we have dissented, and ask leave to file this as the report of the minority of the committee.

The purpose of this bill is clear and concise. It is to prevent insurance companies from escaping liability for representations and statements made by their authorized agents. It has become a common practice for the companies to stipulate among the numerous clauses and conditions of their policies that they will not be bound by any representations or statements their authorized agents may make unless the same is in writing. These stipulations, in most cases, amount to a fraud upon the assured. The policy contains so many clauses and conditions that it is seldom a common man will discover or comprehend the effect of such stipulations, and the result is he is deceived and defrauded when he relies on the representations and statements made to him by an authorized agent after a loss by fire, and the insurance company really swindles him out of payment of his loss. This bill is intended to prevent insurance companies from thus taking advantage of the common people who are so apt to confide in the honesty of their agents. There is no reason why an insurance company, like any other company, corporation or individual should not be liable for the acts and representations of its authorized agents. Every individual who is a principal is liable for the acts and representations of his agent made within the scope of his apparent authority. Why should an insurance company escape?

There is an urgent demand coming up to us from the business men of our State for relief against the oppressive grasp of these insurance companies. Their claims are well founded and just, but it seems next to impossible to help them as appears from efforts that have been and are being made in their behalf.

We therefore recommend that the bill do pass.

T. B. PERRY,
WM. B. PERRIN.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate file No. 287, a bill for an act making coal mine operators liable for the negligence of the engineer, timberman and mine foreman, have had the same under consideration and resolved to report it back with the recommendation that it be indefinitely postponed. From the conclusion reached, we have dissented, and ask leave to present this as the minority report of the Committee.

The purpose of this bill as amended, is to make proprietors of coal mines liable for the negligence of the engineers, timberman and mine foreman. Many years ago the legislature of this State passed such a law, but more sweeping in its pro-

visions, in reference to railroads; so to-day a railroad company is liable for injury received by any employe resulting from the negligence of the engineer.

Such, we believe, should be the law applicable to those engaged in the operating of coal mines of our State.

In all the principal mines a steam engine is used in connection with the hoisting power. From a few to several hundred men are often engaged in a single mine. They have to descend and ascend the hoisting shaft in a cage entirely under the control and management of the engineer. A fair regard for the safety of the men requires the utmost care and caution of the engineer, and the mine proprietor should be held responsible to those who may be injured for want of the exercise of ordinary care on the part of the engineer.

Such a law as this would have a tendency of compelling mine operators to be more careful in the selection of those placed in charge of the responsible duty of hoisting the men out of the mine. This same principle applies to the timberman, whose duty it is to superintend timbering the entries. Should he be guilty of negligence in doing this work, the coal company should be held liable for injury to an employe caused thereby.

Likewise the company should be liable for the negligence of the mine foreman. These three persons named, while they are not in the full sense of the law vice principals, they do represent the coal operator in about all that is done in the operation and management of the mine, and there is not, to our minds, any reason or justice in denying relief to the coal miner who is injured by their negligence.

The coal miners constitute one of the largest classes of laborers in our State, amounting to many thousands. Both political parties have promised them legislative relief, but it is not yet apparent that any other substantial aid in this direction will be granted them except it be given by this bill.

Can we make good the assurances we have given to this industrious and worthy class of our laboring population by denying them the relief proposed by this bill?

They may be injured or killed in the coal mines with seeming impunity and there is no remedy.

Shall the engineer, mine foreman and timberman negligently cause them injury or take their lives and there be no relief?

We therefore recommend that the bill do pass.

T. B. PERRY,

THOS. A. CHESHIRE.

Senator Gorrell, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 806, a bill for an act appropriating money to pay Captain Robert W. McLeland for grain, provender and provisions furnished for the subsistence of the horses of Union soldiers while in Iowa during the late war, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the following changes be made in the resolutions attached to said bill:

Strike out in the first line, after "appears," "by duly authenticated vouchers and other proof;" also in the fifth line the words, "by virtue of the public necessity, if not by direct authority and;" also in the tenth line

the words, "funds and;" also in the fifteenth line the word, "better;" insert in the fifteenth line after the word "State," the words, "and Nation;" and strike out after the word "State" in said line, the words, "and for the volunteer service of the United States in the war of the rebellion."

And with these changes, we recommend the bill returned without recommendation.

J. R. GORRELL,
Chairman.

Ordered passed on file.

Senator Funk, from the Committee on the Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate file No. 331, a bill for an act to secure the enforcement of law against the illegal traffic in intoxicating liquors and to better protect the educational institutions of the State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

A. B. FUNK,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate file No. 350, a bill for an act providing for the enforcement of the prohibitory law for the suppression of the sale of intoxicating liquors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking out all from the seventh to the twelfth lines inclusive, and that when so amended the bill do pass.

A. B. FUNK,
Chairman.

Ordered passed on file.

Senator Dent, from the Committee on Public Libraries, submitted the following report:

MR. PRESIDENT—Your Committee on Public Libraries, to whom was referred Senate file No. 367, a bill for an act to repeal section 1888 of the Code, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

W. H. DENT,
Chairman.

Ordered passed on file.

Senator Rikken, from the Committee on Pharmacy, submitted the following report:

MR. PRESIDENT—Your Committee on Pharmacy, to whom was referred Senate file No. 311, a bill for an act to amend section 5 of chapter 75, acts of the Eighteenth General Assembly, relating to pharmacy, beg leave to report that they have

had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. A. RIGGEN,

Chairman.

Ordered passed on file.

On motion of Senator Gorrell, Senate file No. 348, a bill for an act to legalize the vote on water works at Prairie City, Iowa, with report of committee recommending passage, was taken up, considered and the report of committee adopted.

Senator Gorrell moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senator Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Eaton, Ellis, Everall, Finn, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfeldt, Lewis, Mattoon, Oleson, Palmer, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman—45.

The nays were:

None.

Absent or not voting:

Senators Dent, Downey, Penrose, Perrin, Yeomans—5.

So the bill passed and the title was agreed to.

On motion of Senator Groneweg House file No. 158, a bill for an act to legalize the acts of the board of directors of the independent school district of Avoca, Iowa, in the levying of taxes for school purposes, with report of committee recommending passage, was taken up and the report of the committee was read.

Senator Groneweg moved that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Everall, Finn, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfeldt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Upton, Vale, Waterman, Yeomans—46.

The nays were:

None.

Absent or not voting:

Senators Brower, Carpenter, Ellis, Turner—4.

So the bill passed and the title was agreed to.

Senator Kelly moved that his concurrent resolution, No. 1 on calendar, relative to final adjournment, be taken up for consideration.

Carried.

Resolved, by the Senate, the House concurring, That the President of the Senate and the Speaker of the House of Representatives of the Twenty-fifth General Assembly shall each declare their respective houses adjourned *sine die* on Thursday, March 29, 1894, at 12 o'clock, noon.

Senator Conaway moved to substitute his concurrent resolution, No. 2 on calendar:

Resolved by the Senate, the House concurring, That the President of the Senate and the Speaker of the House of Representatives shall declare their respective houses adjourned *sine die* on Friday, March 23d, at 12 o'clock, noon.

Senator Waterman moved that the consideration of the resolution be postponed for one week.

Carried.

The hour for the special order having arrived, consideration of Senate file No. 324 was resumed.

Senator Jewett in the chair.

President Dungan in the chair.

Yesterday's journal was read, corrected and approved.

Senator Funk moved that the Senate do now adjourn until 2 o'clock P. M.

Carried.

The Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2 o'clock P. M., President Dungan presiding.

T. E. Cox, Journal Clerk, was granted leave of absence indefinitely from Tuesday, on account of death in his family.

Consideration of the special order was resumed.

Senator Carpenter, before speaking upon the question, asked permission to send to the Secretary's desk the following, which, no objections being raised, the Secretary read:

Mr. T. E. Hoag having given to the public a partial statement of the contents of a letter written by C. A. Carpenter on the 9th of September in reply to a letter from Rev. G. B. Swartz, the entire correspondence is now published at Mr. Carpenter's request, so that the public may see all that was said in that correspondence. It should be stated that Mr. Carpenter has not at any time felt a hesitancy

about its publication, as is plainly indicated in the last paragraph of his letter but Mr. Swartz felt as though he could hardly, in good faith, give it to the public himself, because of his own declaration that the answers would "be treated confidentially." The letter was left by Mr. Swartz with a friend, where it was seen by Mr. Hoag, who took the responsibility of putting a portion of its contents before the public. It should be stated also that Mr. Carpenter has spoken on the stump in harmony with the sentiments of his letter to Mr. Swartz. The correspondence is now, for the first time, published in full.

MUSCATINE, IOWA, September 4, 1894.

C. A. Carpenter. Esq, Columbus Junction, Iowa:

SIR—At the request of some of the friends of temperance and the Iowa prohibitory law, I ask you the following questions. Your answers will be treated confidentially, except as to particular parties as above, if you so desire:

If elected as State Senator will you stand by our present prohibitory law?

Are you in favor of a State constabulary for the enforcement of this law?

If the present law cannot be saved what kind of a liquor law are you in favor of enacting?

I have understood and represented you as in favor of prohibition, others as an anti-prohibitionist.

Fraternally,

G. B. SWARTZ.

COLUMBUS JUNCTION, Iowa, }
September 9, 1893. }

Rev. G. B. Swartz, Muscatine, Iowa:

DEAR SIR—I have your courteous inquiry of September 4th, and in reply would say that the Senatorial convention that nominated me at Muscatine, Iowa, on August 19th unanimously endorsed the Republican platform, and I therefore stand on this platform, and expect to be elected or defeated on that issue.

As to your second question I would say that personally I am not in favor of a State constabulary for the enforcement of the prohibitory law or any other law. I believe that all criminal laws should be treated exactly alike and enforced by the same methods.

As to your third question, if elected, I should favor such a law in relation to the sale of intoxicating liquor as would, in my judgment, carry out the principles of the republican platform, both in letter and in spirit. And I interpret the thirteenth plank to mean that the present law shall be modified so as to allow some regulation of the liquor traffic in communities when the prohibitory law cannot be enforced. I voted for the prohibitory amendment, and, as mayor of Columbus Junction, rigidly enforced the law, but I have always been fairly liberal on this question, and believe that the position taken by the republican party is the only sensible thing that could be done for the benefit of true temperance under the present condition of affairs in the State of Iowa, and I believe that the republican party can safely be trusted to legislate upon this question.

I have not and will not make any promises as to what action I will take upon any question, in case I am elected, except this one promise: That if I should be the choice of the people, I will endeavor to honestly and faithfully represent the interests of the people to the extent of my ability. You can readily see that any promise made by me as to my future action would deprive me of the power of representing the balance of the people in this respect. The support that is given me will therefore represent the faith of the people in my ability and official integrity, if elected.

I hope this will be sufficiently clear to enable you to decide upon what course you ought to take in this matter. and I wish you to use this letter in such manner as your judgment shall dictate, because if the position I occupy does not satisfy the people, I ought to be defeated. Thanking you for your interest in my behalf, I am,

Yours sincerely,

C. A. CARPENTER.

The above is from the Muscatine Journal of November 2, 1893.

Senator Perrin in in the chair.

President Dungan in the chair.

Senator Conaway asked leave to have 300 extra copies of Senate file No. 337 printed.

It was so ordered.

Senator Conaway introduced the following concurrent resolution:

CONCURRENT RESOLUTION RELATIVE TO THE PARDON OF A. F. HOCKETT.

Resolved by the Senate, the House concurring, That the Twenty-fifth General Assembly, to whom the Governor of Iowa has referred the application of A. F. Hockett for pardon, advise the Governor to grant such pardon upon the condition that the said Hockett abstain from the use of intoxicating liquors.

Referred to Committee on Penitentiaries and Pardons.

Senator Funk moved that the Senate do now adjourn.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, March 15, 1894. }

Senate met in regular session at 9 o'clock, A. M., and was called to order by President Dungan.

Prayer was offered by Rev. J. F. Nugent, of Des Moines.

PETITIONS AND MEMORIALS.

Senator Lehfelddt presented petitions from policy holders in insurance companies of Dennison, Missouri Valley, and Mapleton, Iowa, asking amendments to Senate file No. 28.

Referred to Committee on Ways and Means.

Senator Hipwell presented petitions from insurance policy holders of Davenport, Iowa, on same subject.

Same reference.

Senator Downey presented a petition from insurance policy holders of Keokuk and Ft. Madison, Iowa, on same subject.

Same reference.

Senator Oleson presented a petition from insurance policy holders of Ft. Dodge, Iowa, on same subject.

Same reference.

Senator Lehfelddt presented a petition from 262 voters and 231 non-voters of Monona county protesting against repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Bishop presented a petition from citizens of Sibley, Iowa, for an appropriation of \$2,000 for support of Benedict home at Decorah, Iowa.

Referred to Committee on Appropriations.

Senator Rea presented petitions from citizens and dairymen of Black Hawk county, asking the passage of Senate file No. 221, a bill for an act to regulate the coloring of imitation butter and cheese.

Referred to Committee on Agriculture.

Senator Mattoon presented petitions from citizens of Allamakee county, Iowa, on same subject.

Same reference.

Senator Perrin presented petitions from citizens of Floyd county, Iowa, on same subject.

Same reference.

Senator Cheshire presented petitions from citizens of Des Moines, Iowa, asking passage of a law raising the age of consent.

Referred to Committee on Public Health.

Senator Terry presented a petition from citizens of Cedar Rapids, Iowa, on same subject.

Same reference.

Senator Penrose presented petitions from Vinton and Shellsburg, Iowa, on the same subject.

Same reference.

Senator Conaway presented a petition from the physicians of Worth and Mahaska counties asking passage of Senate file No. 337.

Same reference.

Senator Conaway presented a petition from the Iowa State Teachers' Association, asking a law providing for the printing of the proceedings of the State Teachers' Association at public expense.

Referred to Committee on Printing.

Secretary of the Senate read a petition from the Iowa State Pharmaceutical Association, protesting against passage of Senate file No. 337.

Referred to Committee on Pharmacy.

Senator Cheshire presented a petition from the traveling men of Iowa, asking the passage of "an act regulating the service of railways as regards the posting of bulletins showing the times of arrival and departure of trains for public information and convenience."

Referred to Committee on Railways.

Senator Jamison presented a petition from citizens of Warren county asking that no change be made in road laws of the State.

Referred to Committee on Highways.

INTRODUCTION OF BILLS.

By Senator Yeomans, Senate file No. 375, a bill for an act to enable cities of the first class to issue bonds payable out of special assessments for street improvements.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Cheshire, Senate file No. 376, a bill for an act regulating the services of railways as regards the posting of bulletins showing the times of the arrival and departure of trains for public information and convenience.

Read first and second times and referred to Committee on Railways.

REPORT OF STANDING COMMITTEES.

Senator Craig, from the Committee on Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Corporations to whom was referred Senate file No. 321, a bill for an act to prevent discrimination by telephone companies, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

GEO. M. CRAIG,
Chairman.

Ordered passed on file.

The hour for the special order having arrived, consideration of Senate file No. 324 was resumed.

Senator Perry in the chair.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed the following bills, in which the concurrence of the Senate is asked:

Senate file No. 71, a bill for an act to repeal chapter 33 of the laws of the Twenty-fourth General Assembly, relative to posting sample ballots five days prior to elections, and enacting the following in lieu thereof:

Senate file No. 88, a bill for an act to amend section 2120 of the Code of Iowa.

Senate file No. 29, a bill for an act to amend sections 969, 975, 981, 987 and 996 of the Code relative to the meeting of township trustees for settlement with road supervisors.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following amended bill in which the concurrence of the Senate is asked:

Senate file No. 70, a bill for an act to legalize the ordinances passed by the incorporated town of Coon Rapids, Carroll county, Iowa, amended by striking out the word "Des Moines" in the fourth line of section 2 and inserting the words "Iowa State."

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

Senate file No. 284, a bill for an act to legalize the incorporation of St. Charles, Madison county, and all acts of its council passed since said town was incorporated.

Senate file No. 307, a bill for an act to legalize the incorporation of the town of Conrad, Grundy county, Iowa, the election of its officers and all the acts done and the ordinances passed by the council of said town.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

Senate file No. 310, a bill for an act to legalize the assessment and collection of taxes under the provisions of chapter 1 of the acts of the Twenty-fourth General Assembly.

Senate file No. 193, a bill for an act to legalize the assessment, levy and collection of taxes for library purposes in certain cities of the first class.

Senate file No. 344, a bill for an act to legalize the incorporation of the town of Beaman.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

Senate file No. 268, a bill for an act to legalize the acts and proceedings of the city of Clinton, Iowa.

Senate file No. 336, a bill for an act to legalize an election held for officers of the incorporated town of Goodell, Hancock county, Iowa, and also to legalize ordinances passed by said town.

Senate file No. 267, a bill for an act to legalize the official acts of J. C. Myers, as mayor of the incorporated town of Fairbank, Iowa.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

Senate file No. 305, a bill for an act to repeal section 3 of chapter 124 of the acts of the Twenty-third General Assembly, relative to the construction of the Independence and Rush Park Railway across lands of the State.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

House file No. 475, a bill for an act to legalize the organization of the independent school district of Bassett, Chickasaw county, Iowa, and the acts of the officers thereof.

House file No. 489, a bill for an act to legalize the incorporation of the town of Epworth, Dubuque county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 573, a bill for an act to legalize the incorporated town of Ellsworth, Hamilton county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town.

House file No. 522, a bill for an act to legalize the town plat of Grinnell, Iowa.

J. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the Senate amendment to the following concurrent resolution in which the concurrence of the Senate is asked:

Relative to a joint convention for the purpose of electing officers, etc., of the various State institutions.

I. K. WILSON,
Chief Clerk.

President Dungan in the chair.

Senator Groneweg offered the following amendment:

Strike out all after the enacting clause and insert the following:

SECTION 1. That upon the presentation of a petition, signed by one-fifth in number of the qualified electors whose names appear on the poll books of the last general election of any city or incorporated town, or city organized under special charter requesting said city or town council to submit to the legal voters of the city or town so petitioning the question whether or not spirituous, malt and vinous liquors may be sold or manufactured and sold therein under the rules, regulations and restrictions of this act, if the said city or town council is satisfied that the signers of such petition are bona fide residents and legal voters of the city or town named in said petition, it shall be the duty of said city or town council to order a special election in the city or town so petitioning, at which election the question shall be submitted, whether or not a license for the sale or manufacture and sale of spirituous, malt and vinous liquors may be granted.

SEC. 2. That upon the presentation of a petition, signed by one-fifth in number of the qualified electors residing in the territory outside of all the cities and incorporated towns in any county within the state, whose names appear upon the poll books of the last general election, to the board of supervisors of such county, requesting such board of supervisors to submit to the legal voters of the territory of such county outside of all cities and incorporated towns therein, the question whether or not spirituous, malt and vinous liquors may be sold and manufactured therein, under the rules, restrictions and regulations of this act, if the board of supervisors are satisfied that the signers of such petition are bona fide residents and legal voters of the territory outside of all cities and incorporated towns in such county, named in such petition, it shall be the duty of such board of supervisors to order a special election in the territory outside of all cities and incorporated towns in such county, at which election the question shall be submitted whether or not a license for the sale or manufacture and sale of spirituous, malt and vinous liquors may be granted.

SEC. 3. The ballots for such election shall submit the question to be voted upon in the manner required by law, and no other question shall be voted upon at the same election.

SEC. 4. All elections under the provisions of this act shall be held at the same places and conducted in the same manner as is prescribed by law for general elections in this State, and all persons entitled to vote at such general election shall be entitled to vote at all elections provided for in this act.

SEC. 5. Such election shall not be held oftener than once in two years, and not then unless petitioned for as provided in this act.

SEC. 6. Notice of such election shall be given by publication for two consecutive weeks in such newspapers published in such city, town or county as the board of supervisors or council thereof may direct; the last publication to be at least ten days prior to the said election.

SEC. 7. The votes at such election in any city or incorporated town shall be canvassed by the council thereof; and the votes in the territory outside of all cities and incorporated towns shall be canvassed by the board of supervisors of the county upon the certified returns of the several wards or precincts voting upon such question. All such canvassing boards shall certify the result of such elections to the clerk of the district court of their respective counties and all expenses of notice and election shall be paid by the municipality or county wherein such election is held.

SEC. 8. In case a majority of all the votes cast at any such election shall be in favor of license, the district court in and for said county shall grant a license for the sale, manufacture and sale at wholesale in quantities of not less than four gallons of spirituous, malt or vinous liquors, upon the petition of ten of the resident freeholders of the ward, incorporated town or municipality where such spirituous, malt and vinous liquors are proposed to be sold, or manufactured and sold, setting forth that the applicant is of respectable character, good standing, a resident of this State, and praying that a license for the sale and manufacture and sale of spirituous, malt and vinous liquors may be issued to him, which petition shall be filed in the office of the clerk of the district court at least ten days prior to the date of hearing thereof.

SEC. 9. Notice of application for license, stating the name of the applicant, the place where the liquors are proposed to be sold or manufactured and sold, describing the land or lot and the date of the hearing upon such application shall be given by publication for two consecutive weeks in such weekly newspaper of the county as the clerk of the district court shall direct, the last publication of such notice to be at least ten days prior to the date fixed for hearing on such petition.

SEC. 10. Any person may file a remonstrance against the granting of a license, which remonstrance shall be in writing and filed at least five days before the date of hearing; such remonstrance may be based on any of the following grounds: A violation of any of the provisions of this act within one year preceding, that the applicant is not of respectable character, or that such applicant is not a resident of this State. The proceedings upon the hearing before the court shall be governed by the same rules as are prescribed in ordinary actions, and shall be tried as speedily as possible. If no remonstrance be filed, or if upon the hearing the allegations of the remonstrance are not established, it shall be the duty of the court to order the license to be granted.

SEC. 11. The fee for license for the sale or manufacture and sale of spirituous, malt and vinous liquors shall be not less than five hundred dollars per annum and such further or additional sum as shall be determined by the municipality in which the business is to be conducted; *provided* that the total license fee shall in no case exceed the sum of one thousand dollars. In cities and towns the additional amount of such license fee shall be fixed by the city or town council, and in the territory of the county outside of all cities and incorporated towns, by the board of supervisors. The said city or town council or board of supervisors shall certify to the treasurer of the county the additional amount of license fee fixed by either. The whole of the license fee shall be paid into the county treasury, and where the business is to be conducted within the limits of an incorporated city or town, all except the sum of two hundred dollars shall be paid by the county treasurer to the treasurer of such city or town. Such license fee may be paid at the option of the licensee, in quarterly installments, payable in advance at the beginning of each quarter, and when paid the same shall be distributed as above provided. All of the license fees not paid out to the city or town treasurers shall go into the general county fund.

SEC. 12. No person shall be licensed to sell or manufacture and sell spirituous, malt or vinous liquors unless he shall first give a bond in the penal sum of \$2,000, payable to the county in which application is made for such license, with at least two good and sufficient sureties, freeholders of the county in which such license is to be granted, to be approved by the clerk of the district court, conditioned that he will not violate any of the provisions of this act and that he will pay the full amount of the license fee for each quarter of the year after the date of issuing the license in the manner and at the times herein provided, and will pay all fines, penalties, damages and forfeitures under the provisions of this act.

The clerk of the district court taking such bonds shall examine each person offered as surety upon such bond under oath, and require him to subscribe and swear to his statement in regard to his pecuniary ability to become such surety. No person who is holder as the principal or surety upon one bond given in pursuance of this act shall become the surety upon any other bond of like character. And any person injured by the violation of any of the provisions of this act may bring suit upon the said bond and recover therefor.

SEC. 13. All licenses issued in pursuance of this act shall be issued by the clerk of the district court, and no license shall be issued until the receipt of the county treasurer for the full amount of the license fee for the first quarter of the period for which the license is granted is filed with such clerk. The license shall state the length of time for which it is issued, which shall not extend beyond the last day of December after its issue; the place where the liquor is to be sold or manufactured and sold, describing the lot or land, and shall not be transferable to any other person. If any licensed person shall fail to pay the quarterly installments of his license fee on or before the first day of each quarter shall, immediately upon such failure, become void. Any license or permit granted under this act shall be revoked by the court granting the same upon satisfactory proof that the person holding such license or permit has been convicted of a second violation of the provisions of this act.

SEC. 14. Any person licensed under this act who shall knowingly sell or give away any spirituous, malt or vinous liquors to any minor, intoxicated person, habitual drunkard or insane or idiotic person shall be punished by a fine not exceeding one hundred dollars or imprisonment in the county jail not exceeding thirty days, or by both such fine and imprisonment, in the discretion of the court.

SEC. 15. Any minor who shall for the purpose of obtaining liquors from any licensed person falsely represent his age, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine for each and every offense not exceeding one hundred dollars, or by imprisonment in the county jail not exceeding thirty days, or both, at the discretion of the court.

SEC. 16. The common council of each city, trustees of each incorporated town and board of supervisors of each county in which licenses are granted, under the provisions of this act shall have power within their respective municipalities to establish and provide for the enforcement in courts of competent jurisdiction therein, by proceedings applicable to the punishment of misdemeanors, such rules, regulations and ordinances as to them shall seem proper in relation to the closing of places where intoxicating liquors are authorized to be sold as a beverage during certain hours of the day and during all hours of the Sabbath day, and in relation to limits within which such liquors shall not be authorized to be sold, except that the regulations made by the board of supervisors shall apply to such territory only as

is outside of incorporated cities and towns, and the willful violation of any of said rules, regulations or ordinances, etc., shall, if found by the court granting such license, cause the immediate revocation thereof, and it shall be the duty of such court to inquire into and determine all such complaints upon such notice to the accused party as it may prescribe, and tax the costs thereof to the losing party or to the county, in its discretion.

SEC. 17. The district court, under the regulations and restrictions contained in this act, may grant permits to registered pharmacists to sell spirituous, malt and vinous liquors for medicinal, mechanical and chemical purposes exclusively, upon payment of all expense and cost relating to the issuance of such permit, and upon the compliance with all the provisions contained in this act, except that no license fee or bond shall be required, and such registered pharmacist shall be subject to all other requirements and penalties contained in this act.

SEC. 18. Any registered pharmacist to whom a permit may be granted as contemplated in the preceding sections of this act, shall keep a book provided by him for that purpose, and shall register in such book all liquors sold or given away by him, which register shall show the date, kind, quantity, for what purpose and to whom such liquors were sold or given, and shall be at all times open to the inspection of the public. Each pharmacist to whom such permit may be granted shall, on the first Monday of January and July of each year, file in the office of the clerk of the district court a report containing a copy of all entries made in said register, as contemplated in this section, since his last report. Each report shall be subscribed and sworn to as correct by said pharmacist, and shall state that he has not sold or given away, either by himself, clerk or agent, any spirituous, malt or vinous liquors other than as stated in said report. Any registered pharmacist failing to comply with the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof for each and every offense shall be punished by a fine of not less than ten dollars nor more than \$100, or by imprisonment not longer than thirty days in the county jail, at the discretion of the court, and his permit upon second conviction shall be thereupon revoked by the court.

SEC. 19. The district court, under the regulations and restrictions contained in this act, may grant permits to manufacturers to manufacture spirituous, vinous and malt liquors, and sell the product of their own manufacture at wholesale in quantities of not less than four gallons, upon the payment of all expense and cost relating to the issuance of such permit and upon compliance with all the provisions contained in this act, except that no license fee shall be required and such manufactures shall be subject to all other requirements and penalties contained in this act.

SEC. 20. Nothing in this act shall be construed to prevent persons from selling wine made from grapes and other fruits grown or raised by them upon land owned or occupied by them in this State, in quantities of not less than one gallon, without procuring a license for such sale; *provided*, that no wine shall be sold to be drunk upon the premises.

SEC. 21. All acts or parts of acts of the laws of the State of Iowa in conflict herewith are hereby repealed, but nothing in this act contained shall be construed to affect any of the statutes of this State against the keeping of nuisances, nor any of the civil or criminal remedies now provided by law for the abatement of such nuisances, nor the punishment of those keeping the same in all cases where

persons are engaged in the sale or manufacture and sale of intoxicating liquors without a license or permit, as provided by this act.

SEC. 22. This act being deemed of immediate importance shall take effect and be in force from and after the publication in the *Des Moines Leader* and the *Iowa State Register*, newspapers published at Des Moines, Iowa.

Yesterday's journal was read, corrected and approved.

Senator Perry moved that further consideration of the special order be postponed until 9:30 o'clock A. M. to-morrow.

Carried.

Senator Groneweg moved that the Senate do now adjourn until 1:55 o'clock P. M.

Carried.

The Senate adjourned.

AFTERNOON SESSION.

The Senate met pursuant to adjournment at 1:55 P. M., President Dungan presiding.

Senator Funk moved to take up House messages.

Carried.

HOUSE MESSAGES.

House file No. 475, a bill for an act to legalize the organization of the Independent School District of Bassett, Chickasaw county, Iowa, and the acts of the officers thereof.

Read first and second times and passed on file.

House file No. 489, a bill for an act to legalize the incorporation of the town of Epworth, Dubuque county, Iowa, the election of all its officers, and all acts done and ordinances passed by the council of said town.

Read first and second times and passed on file.

House file No. 573, a bill for an act to legalize the incorporation of the town of Ellsworth, Hamilton county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town.

Read first and second times and passed on file.

House file No. 522, a bill for an act to legalize the town plat of Grinnell, Iowa.

Read first and second times and passed on file.

Senator Garst moved that the Senate concur in the House amendment to Senate file No. 70.

On the question, "Shall the Senate concur in the House amendment?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Cheshire, Craig, Dent, Downey, Everall, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Oleson, Palmer, Perrin, Rea, Rikken, Rowen, Terry, Turner, Upton, Vale, Waterman, Yeomans—38.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Chantry, Conaway, Eaton, Ellis, Finn, Lewis, Mattoon, Penrose, Perry, Phelps, Reynolds—10.

So the amendment was concurred in.

At two o'clock a committee from the House appeared in the Senate chamber and informed the Senate that the House was ready to receive them in joint session for the purpose of electing trustees and regents of the various State institutions, State printer, State binder and wardens of the penitentiaries, whereupon the Senate adjourned to meet the House in joint session.

JOINT CONVENTION.

At 2 P. M. the Sergeant at Arms announced the Senate in a body, who took seats on the west side, which was vacated for their use.

Lieutenant-Governor Dungan took the chair and called the convention to order, and stated that the purpose of the meeting was the election of trustees, directors and regents of the various State institutions and State printer and State binder.

The roll was then ordered:

Those present were:

Messrs. Allen, Andrews, Baldwin, Barker, Bell, Bishop Bitterman, Blanchard, Boardman, Brinton, Britt, Brooks, Brower, Burnquist, Byers, Carpenter, Carter, Chantry, Chapman, Chassell, Cheshire, Conaway, Coonley, Cooper of Montgomery, Cooper of Pottawattamie, Cornwall, Craig, Crow, Davis, Davison, Dent, Diederich, Doane, Doubleday, Dowell, Downey, Early, Eaton, Ellison, Endicott, Everall, Finch, Finn, Frazee, Funk of Dickinson, Funk of Hardin, Garst, Gorrell, Green, Griswold, Groneweg, Gurley, Harmon, Harper, Harsh,

Haselton, Haugen, Henderson, Hinman, Hipwell, Homrighaus, Hoover, Horton, Hurst, Jamison, Jay, Jester, Jewett, Jones, Kilburn, Klemme, Lauder, Lehfeldt, Lewis, Linderman, McCann, McGonigle, McNeeley, McQuinn, Martin, Miller of Cherokee, Milliman, Mitchell, Moore, Morris of Clarke, Morris of Sioux, Morrison, Murray, Myerly, Nicoll, Nietert, Oleson, Palmer, Patterson, Pattison, Penrose, Perrin, Phelps, Rea, Reed, Reynolds, Rigger, Robinson, Rogge, Root, Ross, Rowen, Saberson, Sawyer, Schultz, Sessions, Shriver, Sowers, Spaulding, Spearman, Steen, Stephens, Stillmunkes, St. John, Stone, Stuntz, Taylor, Terry, Trewin, Turner, Upton, Vale, Van Gilder, Waterman, Watkins, Watters. Weaver, Williams of Fremont, Williams of Howard, Wilson, Wood, Wyckoff, Yeomans, Young of Calhoun, Young of Delaware—135.

Absent or not answering:

Messrs. Ellis, Harriman, Kelly, Mattoon, Miller of Lee, Perry, Ranck, Smith, Snoke, Wilken—15.

There being a quorum present, President Dungan announced as teller on behalf of the Senate, Senator Carpenter. And the Speaker announced Mr. Chassell on behalf of the House.

Mr. Blanchard offered the following.

Be it resolved by the Senate and House of Representatives of the State of Iowa in Joint Convention assembled: That the following named persons are hereby declared to be duly elected to the following named positions, to-wit:

N. N. Jones, of Cass county, to be warden of the penitentiary at Ft. Madison, Iowa, for the ensuing term.

P. W. Madden, of Clay county, to be warden of the penitentiary at Anamosa, Iowa, for the ensuing term.

Lafayette Young, of Polk county, for State binder for the term commencing January 1, 1895.

F. R. Conaway, of Poweshiek county, for State printer for the term commencing January 1, 1895.

On the question, "Shall the resolution be adopted?" the yeas were:

Messrs. Allen, Andrews, Bell, Bitterman, Blanchard, Boardman, Brinton, Britt, Brooks, Brower, Burnquist, Byers, Carpenter, Carter, Chantry, Chapman, Chassell, Cheshire, Conaway, Coonley, Cooper of Montgomery, Cornwall, Craig, Crow, Davis, Davison, Doane, Doubleday, Dowell, Early, Eaton, Ellis, Ellison, Endicott, Finch, Finn, Funk of Dickinson, Funk of Hardin, Garst, Gorrell, Griswold, Gurley, Harmon, Harriman, Harsh, Haugen, Henderson, Hinman, Hoover, Horton, Jamison, Jay, Jester, Jewett, Jones, Kilburn, Klemme, Lauder, Lehfeldt, Lewis, Linderman, McNeeley, McQuinn, Martin, Miller of Cherokee, Milliman, Mitchell, Moore, Morris of Clarke, Morris of Sioux, Morrison, Myerly, Nicoll, Nietert, Palmer, Pattison, Penrose, Perrin, Phelps, Ranck, Rea, Reed, Reynolds, Rigger, Root, Rowen,

Saberson, Sawyer, Sessions, Shriver, Sowers, Spaulding, Spearman, Steen, Stephens, St. John, Stone, Stuntz, Trewin, Turner, Upton, Vale, Van Gilder, Waterman, Watkins, Watters, Weaver, Williams of Fremont, Williams of Howard, Wood, Wyckoff, Young of Calhoun, Young of Delaware—113.

The nays were:

None.

Absent or not voting:

Messrs. Baldwin, Barker, Bishop, Cooper of Pottawattamie, Dent, Diederich, Downey, Everall, Frazee, Green, Groneweg, Harper, Haselton, Hipwell, Homrighaus, Hurst, Kelly, McCann, McGonigle, Mattoon, Miller of Lee, Murray, Oleson, Patterson, Perry, Robinson, Rogge, Ross, Schultz, Smith, Snoke, Stillmunkes, Taylor, Terry, Wilken, Wilson, Yeomans—37.

So the resolution was adopted and the persons named therein were declared duly elected.

Senator Lewis offered the following:

Be it Resolved by the Senate and House of Representatives of the State of Iowa in joint convention assembled, That the following named persons are hereby elected Trustees, Directors and Regents of the various State institutions, to-wit:

TRUSTEES OF THE AGRICULTURAL COLLEGE.

Fifth District—A. V. Stout, of Grundy county.....6 years.

Seventh District—Chas. F. Saylor, of Polk county.....6 years.

Tenth District—J. B. Hungerford, of Carroll county.....6 years.

Eleventh District—A. F. Meservey, of Cherokee county.....6 years.

MEMBERS OF BOARD OF REGENTS OF STATE UNIVERSITY.

First District—J. W. Garner, of Louisa county.....6 years.

Second District—Frank W. Mahin, of Clinton county.....6 years.

Sixth District—A. W. Swalm, of Mahaska county.....6 years.

Seventh District—J. D. McCleary, of Warren county.....6 years.

TRUSTEES OF THE COLLEGE FOR THE BLIND.

S. W. Ferris, of Butler county.....4 years.

Jacob Springer, of Benton county.....4 years.

TRUSTEES OF THE HOSPITAL FOR INSANE AT CLARINDA.

T. E. Clark, of Page county.....6 years.

TRUSTEES OF HOSPITAL FOR INSANE AT INDEPENDENCE.

I. R. Kirk, of Cerro Gordo county.....4 years

Chas. W. Fillmore, of Clay county.....4 years

TRUSTEES OF THE HOSPITAL FOR INSANE AT MT. PLEASANT.

G. H. Spahr, of Henry county.....4 years

Sam'l. Klein, of Lee county.....4 years

TRUSTEES OF THE INDUSTRIAL HOME FOR THE BLIND.

H. H. Stilwell, of Allamakee county.....6 years

Lorana Mattice, of Benton county.....6 years

TRUSTEE OF THE INDUSTRIAL SCHOOL.

Thomas Mitchell, of Polk county..... 6 years

TRUSTEES OF THE SCHOOL FOR THE DEAF.

W. A. Delashmutt, of Ringgold county..... 6 years

John Beatty, of Story county..... 2 years

MEMBER OF THE BOARD OF DIRECTORS OF THE NORMAL SCHOOL.

E. Townsend, of Black Hawk county..... 6 years

TRUSTEE OF THE INSTITUTION FOR FEEBLE MINDED CHILDREN.

J. E. Wickham, of Mills county..... 6 years

TRUSTEE OF THE SOLDIERS' ORPHANS' HOME.

J. G. Brown, of Marshall county..... 6 years

The yeas were:

Messrs. Allen, Andrews, Bell, Bishop, Bitterman, Blanchard, Boardman, Brinton, Britt, Brooks, Brower, Burnquist, Byers, Carpenter, Carter, Chantry, Chapman, Chassell, Cheshire, Conaway, Coonley, Cooper of Montgomery, Cornwall, Craig, Crow, Davis, Davison, Doane, Doubleday, Dowell, Downey, Early, Eaton, Ellis, Ellison, Endicott, Finch, Finn, Funk of Dickinson, Garst, Gorrell, Green, Griswold, Gurley, Harmon, Harriman, Harsh, Haugen, Henderson, Hinman, Hoover, Horton, Jamison, Jay, Jester, Jewett, Jones, Kilburn, Klemme, Lauder, Lehfeldt, Lewis, Linderman, McNeeley, McQuinn, Martin, Miller of Cherokee, Miller of Lee, Milliman, Mitchell, Moore, Morris of Clarke, Morris of Sioux, Morrison, Myerly, Nicoll, Nietert, Palmer, Pattison, Penrose, Perrin, Phelps, Rea, Reed, Reynolds, Rigger, Root, Rowen, Saberson, Sawyer, Sessions, Shriver, Sowers, Spaulding, Spearman, Steen, Stephens, St. John, Stuntz, Trewin, Turner, Vale, Van Gilder, Waterman, Watkins, Watters, Weaver, Williams of Fremont, Williams of Howard, Wilson, Wood, Wyckoff, Young of Calhoun, Young of Delaware.—110.

The nays were:

None.

Absent or not voting:

Messrs. Baldwin, Barker, Cooper of Pottawattamie, Dent, Diederich, Everall, Frazee, Funk of Hardin, Groneweg, Harper, Haselton, Hipwell, Homrighaus, Hurst, Kelly, McCann, McGonigle, Mattoon, Murray, Oleson, Patterson, Perry, Ranck, Robinson, Rogge, Ross, Schultz, Smith, Snoke, Stillmunkes, Stone, Taylor, Terry, Upton, Wilken, Yeomans—40.

So the resolution was adopted, and the persons named therein were declared duly elected.

Senator Lewis offered the following:

Be it resolved by the Senate and House of Representatives of the State of Iowa in joint convention assembled, That the following named persons are hereby declared to be duly elected trustees and directors of the various State institutions, to wit:

TRUSTEE OF THE COLLEGE FOR THE BLIND AT VINTON.

Leopold Levy, of Bremer county..... 4 years

TRUSTEE OF THE HOSPITAL FOR THE INSANE AT MT. PLEASANT.

G. W. Cullison, of Shelby county..... 4 years.

TRUSTEE OF THE INDUSTRIAL SCHOOLS.

J. M. Gilchrist, of Marshall county..... 6 years

MEMBER OF BOARD OF DIRECTORS OF NORMAL SCHOOLS.

I. J. McDuffie, of Plymouth county..... 6 years.

Mr. Root moved that the name of Leopold Levy for trustee of the College for the Blind be stricken out, and the name of M. H. Westbrook inserted instead.

On a division of the joint convention the motion was lost by a vote of 27 yeas to 55 nays.

On the resolution of Senator Lewis the yeas were:

Messrs. Allen, Andrews, Bell, Blanchard, Boardman, Brinton, Britt, Brooks, Burnquist, Byers, Carpenter, Carter, Chantry, Chapman, Chassell, Cheshire, Conaway, Cooper of Montgomery, Cornwall, Craig, Crow, Davis, Davison, Doane, Doubleday, Dowell, Early, Eaton, Ellis, Ellison, Endicott, Finch, Funk of Dickinson, Funk of Hardin, Garst, Gorrell, Griswold, Harmon, Harriman, Harsh, Haugen, Henderson, Hinman, Homrighaus, Hoover, Horton, Jamison, Jay, Jewett, Jones, Klemme, Lauder, Lehfelddt, Lewis, McNeeley, McQuinn, Martin, Miller of Cherokee, Milliman, Mitchell, Morris of Clarke, Morris of Sioux, Morrison, Myerly, Nicoll, Nietert, Palmer, Pattison, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Root, Rowen, Saberson, Sawyer, Sessions, Shriver, Sowers, Spaulding, Stephens, Stillmunkes, St. John, Stone, Stuntz, Trewin, Turner Vale, Van Gilder, Waterman, Watkins, Watters, Weaver, Williams of Fremont, Williams of Howard, Wood, Wyckoff, Young of Calhoun, Young of Delaware—102.

The nays were:

None.

Absent or not voting were:

Messrs. Baldwin, Barker, Bishop, Bitterman, Brower, Coonley, Cooper of Pottawattamie, Dent, Diederich, Downey, Everall, Finn, Frazee, Green, Groneweg, Gurley, Harper, Haselton, Hipwell, Hurst, Jester, Kelly, Kilburn, Linderman, McCann, McGonigle, Mattoon, Miller of Lee, Moore, Murray, Oleson, Patterson, Perry, Ranck, Reed, Richardson, Robinson, Rogge, Ross, Schultz, Smith, Snoke, Steen, Taylor, Terry, Upton, Wilken, Wilson, Yeomans—48.

The resolution was adopted and the persons named therein were declared duly elected.

Whereupon the following certificates were signed in the presence of the joint convention:

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 15, 1894. }

This is to certify that at an election by the two Houses of the Twenty-fifth General Assembly of the State of Iowa, in joint convention on Thursday, the 15th day of March, A. D. 1894, for the purpose of electing State officers and officers of the various State institutions, N. N. Jones having received a majority of all the votes cast for said office, was duly declared elected warden of the penitentiary at Ft. Madison for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 15th day of March, A. D. 1894.

WARREN S. DUNGAN,

President of the Senate.

HENRY STONE,

Speaker House of Representatives.

ATTEST:

C. A. CARPENTER,

Teller of the Senate.

E. D. CHASSELL,

Teller House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, Thursday, March 15, 1894. }

This is to certify that at an election by the two Houses of the Twenty-fifth General Assembly of the State of Iowa, in joint convention, on Thursday, the 15th day of March, A. D. 1894, for the purpose of electing State officers and officers of the various State institutions, P. W. Madden having received a majority of all the votes cast for said office, was declared duly elected warden of the penitentiary at Anamosa, for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

WARREN S. DUNGAN,

President the Senate.

HENRY STONE,

Speaker House of Representatives.

ATTEST:

C. A. CARPENTER,

Teller of the Senate.

E. D. CHASSELL,

Teller of House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, Thursday, March 15, 1894. }

This is to certify that at an election by the two Houses of the Twenty-fifth General Assembly of the State of Iowa, in joint convention, on Thursday, the 15th day of March, A. D. 1894, for the purpose of electing State officers and officers of the various State institutions, Lafayette Young having received a majority of the votes cast for said office, was declared duly elected State Binder for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

WARREN S. DUNGAN,
President the Senate.

HENRY STONE,
Speaker House of Representatives.

ATTEST:

C. A. CARPENTER,
Teller of the Senate.

E. D. CHASELL,
Teller House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, Thursday, March 15, 1894. }

This is to certify that at an election by the two Houses of the Twenty-fifth General Assembly of the State of Iowa, in joint convention, on Thursday, the 15th day of March, A. D. 1894, for the purpose of electing State officers and officers of the various State institutions, F. R. Conaway having received a majority of all the votes cast for said office, was declared duly elected State Printer for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

WARREN S. DUNGAN,
President of the Senate.

HENRY STONE,
Speaker House of Representatives.

ATTEST:

C. A. CARPENTER,
Teller of the Senate.

E. D. CHASELL,
Teller House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, Thursday, March 15, 1894. }

This is to certify that at an election by the two Houses of the Twenty-fifth General Assembly of the State of Iowa, in joint convention, on Thursday, the 15th day of March, A. D. 1894, for the purpose of electing State officers and officers of the various State institutions, A. V. Stout having received a majority of the votes cast for said office, was declared duly elected Trustee of the Agricultural College and Farm for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

WARREN S. DUNGAN,
President the Senate.

HENRY STONE,
Speaker House of Representatives.

ATTEST:

C. A. CARPENTER,
Teller of the Senate.

E. D. CHASELL,
Teller House of Representatives

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, Thursday, March 15, 1894. }

This is to certify that at an election by the two Houses of the Twenty-fifth General Assembly of the State of Iowa, in joint convention, on Thursday, the 15th day of March, A. D. 1894, for the purpose of electing State officers and officers of the various State institutions, Chas. F. Saylor having received a majority of the votes cast for said office, was declared duly elected Trustee of the Agricultural College and Farm for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

WARREN S. DUNGAN,
President the Senate.

HENRY STONE,
Speaker House of Representatives.

ATTEST:

C. A. CARPENTER,
Teller of the Senate.

E. D. CHASELL,
Teller House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, Thursday, March 15, 1894. }

This is to certify that at an election by the two Houses of the Twenty-fifth General Assembly of the State of Iowa, in joint convention, on Thursday, the 15th day of March, A. D. 1894, for the purpose of electing State officers and officers of the various State institutions, J. B. Hungerford having received a majority of the votes cast for said office, was declared duly elected Trustee of the Agricultural College and Farm for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

WARREN S. DUNGAN,
President the Senate.

HENRY STONE,
Speaker House of Representatives.

ATTEST:

C. A. CARPENTER,
Teller of the Senate.

E. D. CHASELL,
Teller House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, Thursday, March 15, 1894. }

This is to certify that at an election by the two Houses of the Twenty-fifth General Assembly of the State of Iowa, in joint convention, on Thursday, the 15th day of March, A. D. 1894, for the purpose of electing State officers and officers of the various State institutions, A. F. Meservey having received a majority of the votes cast for said office, was declared duly elected Trustee of the Agricultural College and Farm for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

WARREN S. DUNGAN,
President the Senate.

HENRY STONE,
Speaker House of Representatives.

ATTEST:

C. A. CARPENTER,
Teller of the Senate.

E. D. CHASELL,
Teller House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 15, 1894. }

This is to certify that at an election by the two Houses of the Twenty-fifth General Assembly of the State of Iowa, in joint convention on Thursday, the 15th day of March, A. D. 1894, for the purpose of electing State officers and officers of the various State institutions, J. W. Garner having received a majority of all the votes cast for said office, was duly declared elected a member of the board of regents of the State University for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 15th day of March, A. D. 1894.

WARREN S. DUNGAN,
President of the Senate.

HENRY STONE,
Speaker House of Representatives.

ATTEST:

C. A. CARPENTER,
Teller of the Senate.

E. D. CHASSELL,
Teller House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 15, 1894. }

This is to certify that at an election by the two Houses of the Twenty-fifth General Assembly of the State of Iowa, in joint convention on Thursday, the 15th day of March, A. D. 1894, for the purpose of electing State officers and officers of the various State institutions, F. W. Mahin having received a majority of all the votes cast for said office, was duly declared elected a member of the board of regents of the State University for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 15th day of March, A. D. 1894.

WARREN S. DUNGAN,
President of the Senate.

HENRY STONE,
Speaker House of Representatives.

ATTEST:

C. A. CARPENTER,
Teller of the Senate.

E. D. CHASSELL,
Teller House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 15, 1894. }

This is to certify that at an election by the two Houses of the Twenty-fifth General Assembly of the State of Iowa, in joint convention on Thursday, the 15th day of March, A. D. 1894, for the purpose of electing State officers and officers of the various State institutions, A. W. Swalm having received a majority of all the votes cast for said office, was duly declared elected a member of the board of regents of the State University for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 15th day of March, A. D. 1894.

WARREN S. DUNGAN,
President of the Senate.

HENRY STONE,
Speaker House of Representatives.

ATTEST:

C. A. CARPENTER,
Teller of the Senate.

E. D. CHASELL,
Teller House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 15, 1894. }

This is to certify that at an election by the two Houses of the Twenty-fifth General Assembly of the State of Iowa, in joint convention on Thursday, the 15th day of March, A. D. 1894, for the purpose of electing State officers and officers of the various State institutions, J. D. McCleary having received a majority of all the votes cast for said office, was duly declared elected a member of the board of regents of the State University for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 15th day of March, A. D. 1894.

WARREN S. DUNGAN,
President of the Senate.

HENRY STONE,
Speaker House of Representatives.

ATTEST:

C. A. CARPENTER,
Teller of the Senate.

E. D. CHASELL,
Teller House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, Thursday, March 15, 1894. }

This is to certify that at an election by the two Houses of the Twenty-fifth General Assembly of the State of Iowa, in joint convention, on Thursday, the 15th day of March, A. D. 1894, for the purpose of electing State officers and officers of the various State institutions, S. W. Ferris having received a majority of all the votes cast for said office, was declared duly elected trustee for the college for the blind for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

WARREN S. DUNGAN,
President the Senate.

HENRY STONE,
Speaker House of Representatives.

ATTEST:

C. A. CARPENTER,
Teller of the Senate.

E. D. CHASSELL,
Teller of House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, Thursday, March 15, 1894. }

This is to certify that at an election by the two Houses of the Twenty-fifth General Assembly of the State of Iowa, in joint convention, on Thursday, the 15th day of March, A. D. 1894, for the purpose of electing State officers and officers of the various State institutions, Jacob Springer having received a majority of all the votes cast for said office, was declared duly elected trustee for the college for the blind for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

WARREN S. DUNGAN,
President the Senate.

HENRY STONE,
Speaker House of Representatives.

ATTEST:

C. A. CARPENTER,
Teller of the Senate.

E. D. CHASSELL,
Teller of House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, {
DES MOINES, IOWA, Thursday, March 15, 1894. }

This is to certify that at an election by the two Houses of the Twenty-fifth General Assembly of the State of Iowa, in joint convention, on Thursday, the 15th day of March, A. D. 1894, for the purpose of electing State officers and officers of the various State institutions, T E. Clark having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Hospital for Insane at Clarinda for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

WARREN S. DUNGAN,
President of the Senate.

HENRY STONE,
Speaker House of Representatives.

ATTEST:

C. A. CARPENTER,
Teller of the Senate.

E. D. CHASSELL,
Teller House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, {
DES MOINES, IOWA, Thursday, March 15, 1894. }

This is to certify that at an election by the two Houses of the Twenty-fifth General Assembly of the State of Iowa, in joint convention, on Thursday, the 15th day of March, A. D. 1894, for the purpose of electing State officers and officers of the various State institutions, I. B. Kirk having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Hospital for Insane at Independence for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

WARREN S. DUNGAN,
President of the Senate.

HENRY STONE,
Speaker House of Representatives.

ATTEST:

C. A. CARPENTER,
Teller of the Senate.

E. D. CHASSELL,
Teller House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, {
DES MOINES, IOWA, Thursday, March 15, 1894. }

This is to certify that at an election by the two Houses of the Twenty-fifth General Assembly of the State of Iowa, in joint convention, on Thursday, the 15th day of March, A. D. 1894, for the purpose of electing State officers and officers of the various State institutions, C. W. Fillmore having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Hospital for Insane at Independence for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

WARREN S. DUNGAN,
President of the Senate.

HENRY STONE,
Speaker House of Representatives.

ATTEST:

C. A. CARPENTER,
Teller of the Senate.

E. D. CHASSELL,
Teller House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, {
DES MOINES, IOWA, Thursday, March 15, 1894. }

This is to certify that at an election by the two Houses of the Twenty-fifth General Assembly of the State of Iowa, in joint convention, on Thursday, the 15th day of March, A. D. 1894, for the purpose of electing State officers and officers of the various State institutions, G. H. Sphar having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Hospital for Insane at Mt. Pleasant for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

WARREN S. DUNGAN,
President of the Senate.

HENRY STONE,
Speaker House of Representatives.

ATTEST:

C. A. CARPENTER,
Teller of the Senate.

E. D. CHASSELL,
Teller House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, {
DES MOINES, IOWA, Thursday, March 15, 1894. }

This is to certify that at an election by the two Houses of the Twenty-fifth General Assembly of the State of Iowa, in joint convention, on Thursday, the 15th day of March, A. D. 1894, for the purpose of electing State officers and officers of the various State institutions, Samuel Klein having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Hospital for Insane at Mt. Pleasant for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

WARREN S. DUNGAN,
President of the Senate.

HENRY STONE,
Speaker House of Representatives.

ATTEST:

C. A. CARPENTER,
Teller of the Senate.

E. D. CHASSELL,
Teller House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, {
DES MOINES, IOWA, Thursday, March 15, 1894. }

This is to certify that at an election by the two Houses of the Twenty-fifth General Assembly of the State of Iowa, in joint convention, on Thursday, the 15th day of March, A. D. 1894, for the purpose of electing State officers and officers of the various State institutions, H. H. Stilwell having received a majority of all the votes cast for said office, was declared duly elected trustee for the Industrial Home for the blind for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

WARREN S. DUNGAN,
President the Senate.

HENRY STONE,
Speaker House of Representatives.

ATTEST:

C. A. CARPENTER,
Teller of the Senate.

E. D. CHASSELL,
Teller of House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, Thursday, March 15, 1894. }

This is to certify that at an election by the two Houses of the Twenty-fifth General Assembly of the State of Iowa, in joint convention, on Thursday, the 15th day of March, A. D. 1894, for the purpose of electing State officers and officers of the various State institutions, Lorana Mattice having received a majority of all the votes cast for said office, was declared duly elected trustee for the Industrial Home for the blind for the term of six years from and after the expiration of the term of the present incumbent, and until her successor is elected and qualified.

WARREN S. DUNGAN,
President the Senate.

HENRY STONE,
Speaker House of Representatives.

ATTEST:

C. A. CARPENTER,
Teller of the Senate.

E. D. CHASELL,
Teller of House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, Thursday, March 15, 1894. }

This is to certify that at an election by the two Houses of the Twenty-fifth General Assembly of the State of Iowa, in joint convention, on Thursday, the 15th day of March, A. D. 1894, for the purpose of electing State officers and officers of the various State institutions, Thomas Mitchell having received a majority of all the votes cast for said office, was declared duly elected trustee for the Industrial School at Eldora for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

WARREN S. DUNGAN,
President the Senate.

HENRY STONE,
Speaker House of Representatives.

ATTEST:

C. A. CARPENTER,
Teller of the Senate.

E. D. CHASELL,
Teller of House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 15, 1894. }

This is to certify that at an election by the two Houses of the Twenty-fifth General Assembly of the State of Iowa, in joint convention on Thursday, the 15th day of March, A. D. 1894, for the purpose of electing State officers and officers of the various State institutions, W. A. Delashmutt having received a majority of all the votes cast for said office, was duly declared elected trustee of the institution for the deaf and dumb at Council Bluffs for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 15th day of March, A. D. 1894.

WARREN S. DUNGAN,
President of the Senate.

HENRY STONE,
Speaker House of Representatives.

ATTEST:

C. A. CARPENTER,
Teller of the Senate.

E. D. CHASSELL,
Teller House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 15, 1894. }

This is to certify that at an election by the two Houses of the Twenty-fifth General Assembly of the State of Iowa, in joint convention, on Thursday, the 15th day of March, A. D. 1894, for the purpose of electing State officers and officers of the various State institutions, John Beatty having received a majority of all the votes cast for said office, was duly declared elected trustee of the school for the deaf at Council Bluffs for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention on this 15th day of March, A. D. 1894.

WARREN S. DUNGAN,
President of the Senate.

HENRY STONE,
Speaker House of Representatives.

ATTEST:

C. A. CARPENTER,
Teller of the Senate.

E. D. CHASSELL,
Teller House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, Thursday, March 15, 1894. }

This is to certify that at an election by the two Houses of the Twenty-fifth General Assembly of the State of Iowa, in joint convention, on Thursday, the 15th day of March, A. D. 1894, for the purpose of electing State officers and officers of the various State institutions, E. Townsend having received a majority of the votes cast for said office, was declared duly elected a director of the State Normal School for the term of six years from and after the expiration of the term of the present incumbent and until his successor is elected and qualified.

WARREN S. DUNGAN,
President the Senate.

HENRY STONE,
Speaker House of Representatives.

ATTEST:

C. A. CARPENTER,
Teller of the Senate.

E. D. CHASELL,
Teller House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, Thursday, March 15, 1894. }

This is to certify that at an election by the two Houses of the Twenty-fifth General Assembly of the State of Iowa, in joint convention, on Thursday, the 15th day of March, A. D. 1894, for the purpose of electing State officers and officers of the various State institutions, J. E. Wickham having received a majority of the votes cast for said office, was declared duly elected Trustee of the Institution for Feeble Minded Children for the term of six years from and after the expiration of the term of the present incumbent and until his successor is elected and qualified.

WARREN S. DUNGAN,
President the Senate.

HENRY STONE,
Speaker House of Representatives.

ATTEST:

C. A. CARPENTER,
Teller of the Senate.

E. D. CHASELL,
Teller House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, {
DES MOINES, IOWA, Thursday, March 15, 1894. }

This is to certify that at an election by the two Houses of the Twenty-fifth General Assembly of the State of Iowa, in joint convention, on Thursday, the 15th day of March, A. D. 1894, for the purpose of electing State officers and officers of the various State institutions, J. G. Brown having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Soldiers' Orphans' Home at Davenport for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

WARREN S. DUNGAN,
President of the Senate.

HENRY STONE,
Speaker House of Representatives.

ATTEST:

C. A. CARPENTER,
Teller of the Senate.

E. D. CHASELL,
Teller House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, {
DES MOINES, IOWA, Thursday, March 15, 1894. }

This is to certify that at an election by the two Houses of the Twenty-fifth General Assembly of the State of Iowa, in joint convention, on Thursday, the 15th day of March, A. D. 1894, for the purpose of electing State officers and officers of the various State institutions, I. J. McDuffie having received a majority of the votes cast for said office, was declared duly elected a director of the State Normal School for the term of six years from and after the expiration of the term of the present incumbent and until his successor is elected and qualified.

WARREN S. DUNGAN,
President the Senate.

HENRY STONE,
Speaker House of Representatives.

ATTEST:

C. A. CARPENTER,
Teller of the Senate.

E. D. CHASELL,
Teller House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, {
DES MOINES, IOWA, Thursday, March 15, 1894. }

This is to certify that at an election by the two Houses of the Twenty-fifth General Assembly of the State of Iowa, in joint convention, on Thursday, the 15th day of March, A. D. 1894, for the purpose of electing State officers and officers of the various State institutions, G. W. Cullison having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Hospital for Insane at Mt. Pleasant for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

WARREN S. DUNGAN,
President of the Senate.

HENRY STONE,
Speaker House of Representatives.

ATTEST:

C. A. CARPENTER,
Teller of the Senate.

E. D. CHASSELL,
Teller House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, {
DES MOINES, IOWA, Thursday, March 15, 1894. }

This is to certify that at an election by the two Houses of the Twenty-fifth General Assembly of the State of Iowa, in joint convention, on Thursday, the 15th day of March, A. D. 1894, for the purpose of electing State officers and officers of the various State institutions, J. M. Gilchrist having received a majority of all the votes cast for said office, was declared duly elected trustee for the Industrial School at Eldora for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

WARREN S. DUNGAN,
President the Senate.

HENRY STONE,
Speaker House of Representatives.

ATTEST:

C. A. CARPENTER,
Teller of the Senate.

E. D. CHASSELL,
Teller of House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 15, 1894. }

This is to certify that at an election of the two Houses of the Twenty-fifth General Assembly of the State of Iowa, in joint convention, on Thursday, the 15th day of March, A. D. 1894, for the purpose of electing State officers and officers of the various State institutions, Leopold Levy having received a majority of all the votes cast for said office, was declared duly elected trustee of the College for the Blind at Vinton, for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 15th day of March, A. D. 1894.

WARREN S. DUNGAN,
President of the Senate

HENRY STONE,
Speaker House of Representatives.

ATTEST:

C. A. CARPENTER,
Teller of the Senate.

E. D. CHASSELL,
Teller House of Representatives.

Senator Funk offered the following resolution:

Resolved, That the clerk of this Joint Convention be instructed to wait upon the governor and present the credentials of the newly elected officers of the several State institutions, the State printer and the State binder.

Adopted.

The journal of the Joint Convention was then read, and on motion of Mr. Gurley, the same was approved.

On motion of Mr. Young of Calhoun, the joint convention was dissolved, and the Senate retired.

Senate reconvened at 3:45 P. M.

On motion of Senator Lewis the rules were suspended and Senate file No. 91, a bill for an act providing for a general levy for State purposes, with report of committee recommending amendments and when so amended that the same do pass, was taken up for consideration.

The report of committee was read.

Senator Lewis offered the following substitute to the committee report and moved its adoption:

Amend section 1 by striking out the words and figures "1,200,000" in lines three and four of the printed bill and insert in lieu thereof the words and figures "1,350,000;" strike out the words and figures "1,300,000" in lines five and six and insert in lieu thereof the words and figures "1,250,000."

Senator Harsh offered the following amendment to the amendment:

I move that the report of the committee be amended so as to read in each case where amounts are named, "\$1,127,500."

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment to the amendment be adopted?" the yeas were:

Senators Bishop, Everall, Finn, Harsh, Kilburn, Palmer, Turner—7.

The nays were:

Senators Andrews, Baldwin, Boardman, Chantry, Cheshire, Conway, Craig, Dent, Downey, Eaton, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Lehfeltdt, Lewis, Mattoon, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Vale, Waterman Yeomans—35.

Absent or not voting:

Senators Brower, Carpenter, Ellis, Oleson, Penrose, Rowen, Terry, Upton—8.

So the amendment to the amendment was lost.

Senator Finn moved that further consideration of the question be postponed until the appropriation committee shall furnish a schedule of the appropriations recommended by them.

Upon this the yeas and nays were demanded.

On the question, "Shall the consideration be postponed?" the yeas were:

Senators Bishop, Downey, Finn, Harsh, Henderson, Kilburn, Palmer, Perrin, Phelps, Rowen, Terry, Turner—12.

The nays were:

Senators Andrews, Baldwin, Boardman, Carpenter, Chantry, Cheshire, Conway, Craig, Dent, Eaton, Ellis, Everall, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Hipwell, Jamison, Jewett, Kelly, Lehfeltdt, Lewis, Mattoon, Perry, Rea, Reynolds, Rigger, Vale, Waterman, Yeomans—33.

Absent or not voting:

Senators Brower, Hurst, Oleson, Penrose, Upton—5.

So the motion to postpone was lost.

Upon the amendment offered by Senator Lewis, the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Andrews, Baldwin, Boardman, Carpenter, Chantry, Cheshire, Conway, Craig, Dent, Eaton, Ellis, Funk, Garst, Green, Groneweg, Harmon, Harper, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Lehfeltdt, Lewis, Mattoon, Perry, Rea, Rigger, Vale, Waterman, Yeomans—32.

The nays were:

Senators Bishop, Downey, Everall, Finn, Gorrell, Harsh, Kilburn, Palmer, Perrin, Phelps, Reynolds, Rowen, Terry, Turner—14.

Absent or not voting:

Senators Brower, Oleson, Penrose, Upton—4.

So the amendment was adopted.

The report of the committee as amended was adopted.

Senator Lewis moved that the rule be suspended, and the bill be considered engrossed and read a third time now.

Upon this the yeas and nays were demanded.

On the question, "Shall the bill be read a third time now?" the yeas were:

Senators Andrews, Baldwin, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Eaton, Ellis, Funk, Garst, Green, Grone-
weg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison,
Jewett, Kelly, Lehfelddt, Lewis, Mattoon, Oleson, Perry, Rea, Rig-
gen, Rowen, Vale, Waterman, Yeomans—36.

The nays were:

Senators Bishop, Downey, Everall, Finn, Gorrell, Kilburn, Palmer,
Perrin, Phelps, Reynolds—10.

Absent or not voting:

Senators Brower, Penrose, Terry, Turner, Upton—4.

So the bill was ordered to third reading.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Boardman, Carpenter, Chantry, Che-
shire, Conaway, Craig, Dent, Eaton, Ellis, Funk, Garst, Green, Grone-
weg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison,
Jewett, Kelly, Lehfelddt, Lewis, Mattoon, Oleson, Perry, Rea, Rigen,
Rowen, Terry, Turner, Vale, Waterman, Yeomans—37.

The nays were:

Senators Bishop, Everall, Finn, Gorrell, Kilburn, Palmer, Perrin,
Phelps, Reynolds—9.

Absent or not voting:

Senators Brower, Downey, Penrose, Upton—4.

So the bill passed and the title was agreed to.

Senator Lewis, moved to reconsider the vote by which Senate file
No 91 passed the Senate.

Senator Kelly moved to lay the motion to reconsider upon the table.

Carried.

The President announced that he had signed House file No. 158.

Senator Andrews moved that the Senate do now adjourn.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, March 16, 1894. }

Senate met in regular session at 9 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. W. T. McConnell, of Des Moines.

Senator Eaton arose to a question of privilege, and made the following remarks:

MR. PRESIDENT—My attention has been called to an expression in the synopsis of my speech upon the pending measure, as reported in yesterday's *Capital*, in which I am made to assert the disbelief of the Senator from Hancock (Brower) in the efficacy of prayer. I think it is but fair to the Senator to say that I do not understand that the Senator in his able argument asserted his disbelief in the power of prayer, but his point and illustration was to the effect that prohibitionists did not accompany their prayer with efficient work. In justice to both the Senator and myself, I ask that this statement be made of record.

PETITIONS AND MEMORIALS.

Senator Penrose presented petitions from forty-four citizens and dairymen of his district, asking the passage of Senate file No. 221, a bill for an act to regulate the coloring of imitation butter and cheese.

Referred to Committee on Agriculture.

Senator Oleson presented a petition from the Iowa State Teachers' Association, asking a law providing for the printing of the proceedings of the State Teachers' Association at public expense.

Referred to Committee on Printing.

Senator Bishop presented a petition from policy holders in insurance companies of Rock Rapids, Iowa, asking amendments to Senate file No. 28.

Referred to Committee on Ways and Means.

Senator Baldwin presented petitions from insurance policy holders of Dubuque and Cascade, Iowa, on same subject.

Same reference.

Senator Brower presented petitions from insurance policy holders of Britt, Iowa, on same subject.

Same reference.

Senator Everall presented petitions from insurance policy holders of Clayton county, Iowa, on same subject.

Same reference.

Senator Hipwell presented petitions from insurance policy holders of Davenport, Iowa, on same subject.

Same reference.

Senator Harper presented petitions from insurance policy holders of Burlington, Iowa, on same subject.

Same reference.

Senator Upton presented petitions from insurance policy holders of Cresco, Iowa, on same subject.

Same reference.

Senator Conaway presented a petition from members of the bar of Pottawattamie county, asking the appointment of N. M. Pusey as one of the commissioners to revise and codify the laws of Iowa.

Passed on file.

Senator Terry presented a similar petition.

Passed on file.

Senator Perry presented a report of the proceedings and resolutions adopted by the farmers of Bluff Creek township, Monroe county, opposing the substitute for House file No. 39 and Senate file No. 9, relating to roads and highways.

Referred to Committee on Highways.

INTRODUCTION OF BILLS.

By Senator Rea, Senate file No. 377, a bill for an act to amend section 1, chapter 18, of the Code of the Nineteenth General Assembly relating to the boundaries of independent school districts.

Read first and second times and referred to Committee on Educational Institutions.

By Senator Rea, Senate file No. 378, a bill for an act to amend section 1665 of McClain's annotated Code, authorizing boards of supervisors to appoint delegates to attend meetings of the Agricultural Society.

Read first and second times and referred to Committee on Agriculture.

By Senator Turner, Senate file No. 379, a bill for an act making an appropriation for the use and benefit of the Iowa State Dairy Association.

Read first and second times and referred to Committee on Appropriations.

By Senator Hipwell, Senate file No. 380, a bill for an act to amend section 3 of chapter 100, of the acts of the Sixteenth General Assem-

bly, and to more particularly define persons who are entitled to mechanics liens for labor upon improvements upon property.

Read first and second times and referred to Committee on Judiciary.

By Senator Reynolds, by request, Senate file No. 381, a bill for an act to appropriate money to reimburse the commissioners of pharmacy for money paid by them, and expenses incurred in the enforcement of the law.

Read first and second times and referred to Committee on Claims.

By Senator Andrews, Senate file No. 382, a bill for an act to legalize the ordinances passed by the incorporated town of Bagley, Guthrie county, Iowa.

Read first and second times and referred to Committee on Judiciary.

REPORTS OF COMMITTEES.

Senator Chantry, from the Committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred Senate file No. 155, a bill for an act to further provide for the care of insane persons, beg leave to report that they have had the same under consideration and herewith submit a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted, and when adopted that the same do pass.

A. J. CHANTRY,
Chairman.

Substitute read first and second times and passed on file.

Senator Dent moved that the substitute be considered now.

Carried.

Senator Dent moved that the rule be suspended, the bill be considered engrossed and read a third time now.

The hour for the special order having arrived, consideration of Senate file No. 324 was resumed.

Senator Gorrell in the chair.

President Dungan in the chair.

Senator Finn offered the following substitute for the amendment:
A Bill for an Act to Amend Chapter 6 of the Code in Reference to the Sale of Intoxicating Liquors.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That chapter 6 of the Code of Iowa be amended by adding thereto the following:

" *Provided*, That any city of over 5,000 inhabitants may provide by ordinance such further and additional penalties and methods of controlling and regulating the sale of intoxicating liquors as shall best serve the cause of temperance and morality."

Upon this the yeas and nays were demanded.

On the question, "Shall the substitute be adopted?" the yeas were: Senators Chantry, Conaway, Eaton, Finn, Gorrell, Jamison, Jewett, Kilburn, Palmer, Phelps, Reynolds, Rowen, Vale—13.

The nays were:

Senators Baldwin, Bishop, Boardman, Brower, Carpenter, Cheshire, Craig, Dent, Downey, Ellis, Everall, Funk, Garst, Green, Groneweg, Harper, Harsh, Henderson, Hipwell, Hurst, Kelly, Lehfeldt, Lewis, Mattoon, Oleson, Penrose, Perrin, Perry, Rea, Rigger, Terry, Upton, Waterman, Yeomans—34.

Absent or not voting:

Senators Andrews, Harmon, Turner—3.

So the substitute was lost.

The question being upon the amendment offered by Senator Groneweg.

Upon this the yeas and nays were demanded.

On the question "Shall the amendment be adopted?" the yeas were: Senators Baldwin, Bishop, Dent, Downey, Everall, Greene, Groneweg, Harper, Hipwell, Hurst, Kelly, Mattoon, Oleson, Perry, Terry, Yeomans—16.

The nays were:

Senators Andrews, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Ellis, Funk, Garst, Gorrell, Harmon, Harsh, Henderson, Jamison, Jewett, Kilburn, Lehfeldt, Lewis, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Rowen, Upton, Vale, Waterman—31.

Absent or not voting:

Senators Eaton, Finn, Turner—3.

So the amendment was lost.

Senator Ellis moved that the Senate do now adjourn.

Upon this the yeas and nays were demanded.

On the question, "Shall the Senate adjourn?" the yeas were:

Senators Boardman, Carpenter, Craig, Eaton, Ellis, Funk, Garst, Harmon, Henderson, Lehfeldt, Penrose, Rigger, Rowen, Upton, Waterman—15.

The nays were:

Senators Andrews, Baldwin, Bishop, Brower, Chantry, Cheshire, Conaway, Dent, Downey, Everall, Finn, Gorrell, Green, Groneweg, Harper, Harsh, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lewis, Mattoon, Oleson, Palmer, Perry, Phelps, Reynolds, Terry, Vale, Yeomans—32.

Absent or not voting:

Senators Perrin, Rea, Turner—3.

So the Senate refused to adjourn.

Senator Kilburn offered the following amendment:

Strike out all after the enacting clause and insert: "Municipalities shall have the power to make and enforce any regulation or restriction of the liquor traffic where the same is conducted contrary to law in their respective localities, and such restrictions, regulations and penalties shall be in the nature of police regulations, but shall in no wise be construed to in any manner repeal any law or bar prosecution for any offense under any law now in force in this State."

Senator Lewis moved that the Senate do now adjourn.

Upon this the yeas and nays were demanded.

On the question, "Shall the Senate adjourn?" the yeas were:

Senators Boardman, Brower, Carpenter, Chantry, Conaway, Craig, Ellis, Funk, Garst, Harmon, Henderson, Lehfelddt, Lewis, Penrose, Perrin, Phelps, Rea, Rigger, Rowen, Upton, Vale, Waterman—22.

The nays were:

Senators Andrews, Baldwin, Bishop, Cheshire, Dent, Downey, Everall, Finn, Gorrell, Green, Groneweg, Harper, Harsh, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Mattoon, Oleson, Palmer, Perry, Reynolds, Terry, Yeomans—26.

Absent or not voting:

Senators Eaton, Turner—2.

The question being upon the amendment offered by Senator Kilburn.

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Eaton, Finn, Gorrell, Jewett, Kilburn, Palmer, Phelps, Rowen, Vale—9.

The nays were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Ellis, Funk, Garst, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Kelly, Lehfelddt, Lewis, Mattoon, Oleson, Perrin, Perry, Rea, Reynolds, Rigger, Upton, Waterman—35.

Absent or not voting:

Senators Everall, Jamison, Penrose, Terry, Turner, Yeomans—6.

So the amendment was lost.

Senator Ellis moved that the Senate do now adjourn.

Upon this the yeas and nays were demanded.

On the question, "Shall the Senate adjourn?" the yeas were:

Senators Boardman, Brower, Carpenter, Chantry, Conaway, Craig, Ellis, Funk, Garst, Harmon, Henderson, Lehfelddt, Lewis, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Rowen, Upton, Waterman—22.

The nays were:

Senators Andrews, Baldwin, Bishop, Cheshire, Dent, Downey, Everall, Finn, Gorrell, Green, Groneweg, Harper, Harsh, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Mattoon, Oleson, Palmer, Perry, Terry, Vale, Yeomans—26.

Absent or not voting:

Senators Eaton, Turner—2.

Senator Kelly moved the previous question.

Carried.

Senator Funk moved that the previous reading be considered third reading of the bill.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Boardman, Brower, Carpenter, Craig, Ellis, Funk, Garst, Harsh, Lewis, Rea, Rigger, Upton—12.

The nays were:

Senators Andrews, Baldwin, Bishop, Chantry, Cheshire, Conaway, Downey, Eaton, Everall, Finn, Gorrell, Green, Groneweg, Harmon, Harper, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Reynolds, Rowen, Terry, Turner, Vale, Waterman, Yeomans—36.

Absent or not voting:

Senators Dent, Lehfeldt—2.

So the bill having failed to receive a constitutional majority was declared lost.

Senator Gorrell offered the following explanation of his vote:

MR. PRESIDENT—I believe the saloon is the legitimate home of vice and crime. I believe it to be the most potent lever the world has ever seen for evil. I desire, for myself and for Jasper county, to enter a protest against any modification of the prohibitory law. I believe the change proposed is a legal recognition of the saloon, to which I protest. I am a believer in the law of evolution; it touches every domain, and it should never be forgotten that time is an important factor. Cataclysmic evolution has been so rare in the organic, ethical and social developments of humanity that neither the friends nor enemies of prohibition had a right to expect it to have redeemed the people of Iowa from the evils of the saloon in twelve years. Satisfactory results will yet be obtained if the law is not assassinated by this legislature. If the State of Iowa lose, or even relax its grip upon the greatest evil of the world, I believe incalculable woe will be the legitimate fruitage of such relaxation. If the saloon must continue to defy "the law of the survival of the fittest," let it remain an outlaw. I therefore vote "No."

J. R. GORRELL.

Senator Cheshire offered the following explanation of his vote:

MR. PRESIDENT—The convention which nominated me, without a dissenting vote, adopted the following resolution among others:

"2. We believe that a distinct advance was made in the cause of true temperance by the abolition of the saloon license system in this State. That while it is in the highest degree desirable to prevent clandestine sales of intoxicants and at the same time to allow the fullest exercise of individual freedom, yet this cannot be accomplished by a return of the saloon system, no matter by what name it may be called."

Having accepted the nomination tendered me by this convention, I was made the trustee of an express trust, so far as my vote on the restoration of the legalized saloon in Iowa is concerned. I therefore vote "no." Were I freed from the command of the convention to which I owe my nomination, I should vote "aye."

THOS. A. CHESHIRE.

Senator Rea offered the following explanation of his vote:

MR. PRESIDENT—With the understanding and the assurances that I have that a constitutional amendment providing penalties for its enforcement would pass this body, should the bill now pending pass, relying upon the assurances and understanding that I have I have concluded to waive some scruples and to vote for the bill.

I vote aye.

J. M. REA.

Senator Finn moved to reconsider the vote by which Senate file No. 324 passed the Senate and that this motion lie upon the table.

Senator Kelly moved to lay the motion to reconsider upon the table.

Upon this the yeas and nays were demanded.

On the question "Shall the motion to reconsider be laid upon the table?" the yeas were:

Senators Andrews, Baldwin, Bishop, Brower, Chantry, Everall, Finn, Gorrell, Green, Groneweg, Harper, Hipwell, Hurst, Jewett, Kelly, Mattoon, Oleson, Palmer, Perry, Reynolds, Terry, Turner, Vale, Yeomans—24.

The nays were:

Senators Boardman, Carpenter, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Funk, Garst, Harmon, Harsh, Henderson, Jamison, Kilburn, Lehfelddt, Lewis, Penrose, Perrin, Phelps, Rea, Riggen, Rowen, Upton, Waterman—26.

So the motion to lie upon the table the motion to reconsider was lost.

Senator Waterman asked leave to file a motion to reconsider the vote by which Senate file No. 324 failed of passage.

Leave granted and motion filed.

Yesterday's journal read and corrected.

Senator Terry moved that the Senate do now adjourn.

Senator Perry moved to amend by making the adjournment until 3 o'clock P. M.

Amendment accepted and motion carried.

The Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment, at 3 o'clock P. M., President Dungan presiding.

Senator Kelly presented a petition from the regents of the State University asking additional support for that institution.

Referred to Committee on Appropriations.

The President of the Senate announced that he had signed the following bills: House files 307, 77, 273, 108, 88, 32, 523, 19 and 107, and Senate files 184, 113, 266, 295, 117, 163, 254 and 49.

REPORTS OF COMMITTEES.

Senator Phelps, from Joint Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Senate file No. 49, an act appropriating \$87.20 to defray the expenses of a delegate appointed by the Governor to attend the Beef and Pork Combine Convention at St. Louis.

Senate file No. 254, an act to legalize the action of the school board of the independent district of Belle Plaine, Benton county, Iowa, in 1893.

Senate file No. 163, an act defining the powers of railroad companies with reference to the securities of other companies.

Senate file No. 117, an act legalizing the levy of taxes for 1893, in Carroll county, Iowa.

Senate file No. 295, an act to amend section 2, chapter 52, acts of the Nineteenth General Assembly, in relation to compensation of officers and employes of the General Assembly of the State of Iowa.

Senate file No. 266, an act to legalize the acts and ordinances of the incorporated town of Reinbeck, Grundy county, Iowa.

Senate file No. 113, an act to legalize the ordinances and resolutions passed by the incorporated town of Imogene, Fremont county, Iowa.

Senate file No. 184, a bill to legalize the ordinances of the incorporated town of West Decorah, Iowa.

JULIAN PHELPS,
Chairman.

Yesterday's journal was approved.

On request of Senator Reynolds, Senator Vale was granted a leave of absence on account of sickness.

On request of Senator Bishop, Senator Lehfelddt was granted a leave of absence.

Senator Upton moved that the Senate do now adjourn.

Upon this the yeas and nays were demanded.

On the question, " Shall the Senate adjourn?" the yeas were:

Senators Baldwin, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Ellis, Funk, Garst, Gorrell, Green, Grone-
weg, Harmon, Harper, Harsh, Henderson, Kelly, Kilburn, Lewis,
Mattoon, Penrose, Perrin, Rea, Reynolds, Rigger, Rowen, Turner,
Upton, Waterman, Yeomans—33.

The nays were:

Senators Andrews, Bishop, Downey, Finn, Jamison, Oleson,
Palmer—7.

Absent or not voting:

Senators Eaton, Everall, Hipwell, Hurst, Jewett, Lehfelddt, Perry,
Phelps, Terry, Vale—10.

So the motion to adjourn prevailed.

The Senate adjourned.

Senator Turner presented a petition from insurance policy holders of Marshalltown, Iowa, on same subject.

Same reference.

Senator Bishop presented a petition from Eva S. Gilchrist, of Iretton, Iowa, asking to be given the right to vote.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Funk presented a petition from citizens of Milford, Iowa, asking the passage of a law raising the age of consent.

Referree to Committee on Public Health.

Senator Funk presented a petition from citizens of Milford, Iowa, protesting against the passage of any law whereby the payment of a sum of money shall operate as a bar to prosecutions for violations of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Funk moved that the reconsideration of the vote by which Senate file No. 324 failed of passage, be set for next Tuesday at 10 o'clock A. M.

Senator Vale moved to amend by fixing the time immediately following the memorial services in memory of Hon. J. W. McDill.

Carried.

INTRODUCTION OF BILLS.

By Senator Kilburn, Senate file No. 387, a bill for an act to legalize the incorporation of the town of Macksburg, Madison county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town.

Read first and second times and referred to Committee on Judiciary.

By Senator Rea, by request, Senate file No. 388, a bill for an act to provide for the training school of the State Normal School.

Read first and second times and referred to Committee on Educational Institutions.

By Senator Cheshire, Senate file No. 384, a bill for an act to legalize the incorporation of the town of Valley Junction, Iowa.

Read first and second times and referred to Committee on Judiciary.

By Senator Cheshire, Senate file No. 385, a bill for an act to legalize the ordinances of the incorporated town of Valley Junction Iowa.

Read first and second times and referred to Committee on Municipal Corporations.

By Senator Harper, by request, Senate file No. 386, a bill for an act to exempt from taxation.

Read first and second times and referred to Committee on Ways and Means.

By Senator Brower, Senate file No. 383, a bill for an act to repeal section 11, chapter 34, laws of the Twenty-third General Assembly of the State of Iowa, relating to fishing in the Mississippi, the Missouri, the Big Sioux and the Des Moines rivers.

Read first and second times and referred to Committee on Fish and Game.

By Senator Mattoon, Senate file No. 389, a bill for an act to legalize the acts and ordinances of the incorporated town of Oelwein, Fayette county, Iowa.

Read first and second times and referred to Committee on Judiciary.

REPORTS OF COMMITTEES.

Senator Harmon, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 397, a bill for an act to declare void certain provisions in policies of fire insurance, and to require the auditor to refuse to authorize insurance companies whose policies contain such provisions to do business in this State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the statement that in the opinion of the committee the provisions of the bill are not in conflict with the constitution of the State.

M. W. HARMON,
Chairman.

Ordered passed on file.

Senator Reynolds, from the Committee on Mines and Mining, submitted the following report:

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred Senate file No. 296, a bill for an act constituting a commission to revise the laws of the State of Iowa relating to the mining of coal and other industries, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that as a bill to provide for the revision of all the laws of the State has passed both Houses of this General Assembly, therefore I am directed to report this bill back without recommendation.

E. M. REYNOLDS,
Chairman.

Ordered passed on file.

Senator Boardman, from the Committee on Roads and Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Roads and Highways, to whom was referred Senate file No. 77, a bill for an act to provide for the drainage of highways, to authorize the purchase or condemnation of the right of way over private property for the extension of highway drains and for the payment of the costs of extending such drains, etc., beg leave to report that they have had the same under

consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. C. BOARDMAN,
Chairman,

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Roads and Highways, to whom was referred substitute for House file No. 117, a bill for an act to repeal section 1, chapter 34 of the acts of the Fifteenth General Assembly, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. C. BOARDMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Roads and Highways, to whom was referred Senate file No. 47, a bill for an act providing for the non-payment of taxes on wide-tired wagons, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. C. BOARDMAN,
Chairman.

Ordered passed on file.

Senator Andrews offered the following concurrent resolution:

CONCURRENT RESOLUTION AUTHORIZING THE COLLECTION OF PORTRAITS
OF PUBLIC OFFICERS OF IOWA.

WHEREAS, Efforts have been made from time to time to secure for the State portraits of the public men of Iowa, and as it is desirable to make such a collection as nearly complete as possible, therefore be it

Resolved by the Senate, the House concurring, That the trustees of the State library are hereby requested in their discretion to cause to be secured in the historical department, portraits, engravings, daguerreotypes or photographs of Iowa State officers, members of Congress, of constitutional conventions, and of General Assemblies, so far as the same may be practicable.

Adopted.

Leave of absence was granted Senator Rowen.

Senator Perry moved that further consideration of substitute for Senate file No. 155 be postponed and that it retain its place upon the calendar.

Upon this the yeas and nays were demanded.

On the question, "Shall consideration of substitute for Senate file No. 155 be postponed?" the yeas were:

Senators Andrews, Baldwin, Conaway, Eaton, Finn, Green, Grone-
weg, Hipwell, Hurst, Jamison, Kelly, Kilburn, Mattoon, Palmer,
Perry, Reynolds—16.

The nays were:

Senators Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Craig, Dent, Ellis, Funk, Garst, Harmon, Harper, Harsh, Henderson, Lewis, Penrose, Perrin, Rigger, Turner, Upton, Vale, Waterman, Yeomans—24.

Absent or not voting:

Senators Downey, Everall, Gorrell, Jewett, Lehfeldt, Oleson, Phelps, Rea, Rowen, Terry—10.

So the motion to postpone consideration was lost.

Senator Dent moved to postpone further consideration of substitute for Senate file No. 155 until 11 o'clock A. M.

Carried.

On motion of Senator Yeomans House file No. 199, a bill for an act to make an appropriation for the Iowa State Agricultural Society for the encouragement of agriculture, horticulture, manufacture and other industries of the State of Iowa, with report of committee recommending passage was taken up for consideration and the report of the committee was read.

Senator Yeomans moved that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Ellis, Funk, Garst, Green, Harmon, Harsh, Henderson, Hurst, Jamison, Kelly, Lewis, Oleson, Palmer, Penrose, Perrin, Rea, Reynolds, Rigger, Terry, Turner, Upton, Vale, Waterman, Yeomans—35.

The nays were:

Senators Downey, Everall, Groneweg, Harper, Kilburn, Mattoon, Perry—7.

Absent or not voting:

Senators Eaton, Finn, Gorrell, Hipwell, Jewett, Lehfeldt, Phelps, Rowen—8.

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE.

The following messages were received from the House.

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House file No. 37, a bill for an act to provide for the payment of wages of workmen employed in mines in the State of Iowa in lawful money of the United States and to protect said workman in the management and control of their own earnings.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed the following concurrent resolution, in which the concurrence of the House was asked:

Relative to an Iowa day in the Midwinter Fair at San Francisco, California.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed the following bills in which the concurrence of the House was asked:

Senate file No. 71, a bill for an act to repeal section 18, of chapter 33, of the laws of the Twenty-fourth General Assembly, relative to posting sample ballots five days prior to elections and enacting the following in lieu thereof.

Senate file No. 88, a bill for an act to amend section 2120 of the Code of Iowa.

Senate file No. 29, a bill for an act to amend sections 969, 975, 981, 987 and 996 of the Code, relative to the meeting of township trustees for settlement with road supervisors.

I. K. WILSON,
Chief Clerk.

Senator Kilburn offered the following explanation of his vote:

Because I believe it will be a dangerous precedent, and because I believe the bill not strictly constitutional, I vote "no."

Senator Harsh moved that the rules be suspended and that Senate file No. 340 be made a special order to follow consideration of Senate file No. 324, and the special order set down for 2 o'clock P. M. March 20, 1894.

Upon this the yeas and nays were demanded.

On the question, "Shall Senate file No. 340 be made a special order?" the yeas were:

Senators Andrews, Baldwin, Bishop, Conaway, Everall, Funk, Garst, Groneweg, Harmon, Harsh, Henderson, Kilburn, Lewis, Oleson, Penrose, Perrin, Turner, Vale, Waterman—19.

The nays were:

Senators Brower, Cheshire, Craig, Dent, Downey, Ellis, Finn, Green, Harper, Hipwell, Hurst, Kelly, Mattoon, Palmer, Phelps, Rea, Reynolds, Rigger, Terry, Upton, Yeomans—21.

Absent or not voting:

Messrs. Boardman, Carpenter, Chantry, Eaton, Gorrell, Jamison, Jewett, Lehfeltdt, Perry, Rowen—10.

So the motion was lost.

Senator Dent moved that the special order be postponed for fifteen minutes.

Carried.

The time for the special order having arrived, Senate file No. 155, a bill for an act to make further provision for the care of insane persons, was taken up for consideration.

Senator Kelly offered the following amendment:

Strike out the words "executive council" in second line of section 2, and insert in lieu thereof the word "Senate."

Adopted.

Senator Dent offered the following amendment:

Strike out of lines seven and eight in section 6 the words "ten thousand dollars" and insert in lieu thereof the words "one thousand dollars."

Adopted.

Senator Kilburn offered the following amendment:

Strike out all of the eighth line in section 3 after the word "drainage."

Senator Groneweg moved that the Senate do now adjourn until Monday afternoon, at 2 o'clock.

Senator Lewis moved to amend by making the time 2:15 o'clock, P. M.

Lost.

The question being upon the motion offered by Senator Groneweg.

Upon this the yeas and nays were demanded.

On the question, "Shall the Senate adjourn until Monday at 2 o'clock P. M.?" the yeas were:

Senators Baldwin, Brower, Chantry, Downey, Everall, Finn, Green, Groneweg, Harmon, Hurst, Jamison, Kilburn, Mattoon, Oleson, Perry, Rea, Terry, Turner, Waterman—19.

The nays were:

Senators Andrews, Bishop, Boardman, Carpenter, Cheshire, Conaway, Craig, Dent, Eaton, Ellis, Funk, Garst, Harper, Harsh, Henderson, Jewett, Lewis, Palmer, Penrose, Reynolds, Rigger, Upton, Vale, Yeomans—24.

Absent or not voting:

Senators Gorrell, Hipwell, Kelly, Lehfelddt, Perrin, Phelps, Rowen—7.

So the Senate refused to adjourn.

Senator Groneweg moved that the Senate do now adjourn.

Upon this the yeas and nays were demanded.

On the question, "Shall the Senate adjourn?" the yeas were:

Senators Baldwin, Chantry, Conaway, Finn, Groneweg, Hurst, Jewett, Kilburn, Rea, Reynolds—10.

The nays were:

Senators Andrews, Bishop, Boardman, Carpenter, Cheshire, Craig, Dent, Eaton, Ellis, Everall, Garst, Harmon, Harper, Harsh, Hender-

son, Jamison, Lewis, Mattoon, Oleson, Palmer, Penrose, Perry, Phelps, Rikken, Terry, Turner, Upton, Vale, Waterman, Yeomans—30.

Absent or not voting:

Senators Brower, Downey, Funk, Gorrell, Green, Hipwell, Kelly, Lehfeldt, Perrin, Rowen—10.

So the Senate refused to adjourn.

The question being on the amendment offered by Senator Kilburn.

Upon this the yeas and nays were demanded.

The yeas were:

Senators Baldwin, Everall, Finn, Green, Groneweg, Hurst, Jewett, Kelly, Kilburn, Oleson, Palmer, Perrin, Perry, Rea, Turner—15.

The nays were:

Senators Andrews, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Eaton, Ellis, Funk, Garst, Harmon, Harper, Harsh, Henderson, Hipwell, Jamison, Lewis, Mattoon, Penrose, Reynolds, Rikken, Terry, Upton, Vale, Waterman, Yeomans—29.

Absent or not voting:

Senators Downey, Gorrell, Hipwell, Lehfeldt, Phelps, Rowen—6.

So the amendment was lost.

Senator Groneweg moved that further consideration of substitute to Senate file No. 155 be postponed.

Lost.

Senator Chantry moved that the Senate do now adjourn.

Carried.

The Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2 o'clock P. M., President Dungan presiding.

INTRODUCTION OF BILLS.

By Senator Harmon, by request, Senate file No. 390, a bill for an act to amend section 120, of the Code as substitute by section 8, chapter 142 of the laws of the Sixteenth General Assembly, and amended by chapter 119 of the laws of the Twentieth General Assembly, relating to the duties of the executive council.

Read first and second times and passed on file.

By Senator Bishop, Senate file No. 391, a bill for an act to repeal section 814 of the Code of 1873.

Read first and second times and referred to Committee on Ways and Means.

A pair was announced between Senators Harsh and Oleson on Senate file No. 155.

Senator Dent moved that Senate file No. 155 be engrossed now.

Carried.

Senator Harper moved that the Senate do now adjourn until 2 o'clock P. M., Monday.

Senator Rea moved to amend by making the time 10 o'clock A. M. Monday.

Lost.

Motion of Senator Harper lost.

Senator Perrin moved that House messages be taken up for consideration.

Carried.

HOUSE MESSAGES.

House file No. 37, a bill for an act to provide for the payment of wages of the workmen employed in mines in the State of Iowa in lawful money of the United States, and to protect said workmen in the management and control of their own earnings, was read first and second times and passed on file.

On motion of Senator Perrin, House file No. 475, a bill for an act to legalize the organization of the independent school district of Bassett, Chickasaw county, Iowa, and the acts of the officers thereof, was taken up and considered.

Senator Perrin moved that the bill be read a third time now which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Everall, Finn, Funk, Garst, Green, Groneweg, Harmon, Harper, Hipwell, Hurst, Jamison, Jewett, Kilburn, Lewis, Palmer, Penrose, Perrin, Rea, Reynolds, Turner, Upton, Vale, Waterman, Yeomans—36.

The nays were:

None.

Absent or not voting:

Senators Brower, Ellis, Gorrell, Harsh, Henderson, Kelly, Lehfeldt, Mattoon, Oleson, Perry, Phelps, Rigger, Rowen, Terry—14.

So the bill passed and the title was agreed to.

Senator Groneweg offered the following resolution:

Resolved, That no bill which has been placed upon the calendar shall be taken up out of its regular order, unless so ordered by a two-thirds vote of the Senate, or reported to the Senate by a sifting committee.

Laid over under the rule.

On motion of Senator Reynolds, Senate file No. 219, a bill for an act to authorize the purchase of certain real estate in Des Moines, Iowa, with report of committee recommending that it do pass was taken up for consideration, and the report of the committee was read.

Senator Reynolds moved that House file No. 476 be substituted for Senate file No. 219.

Carried.

Senator Reynolds moved that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Everall, Funk, Garst, Groneweg, Harmon, Hipwell, Hurst, Jamison, Jewett, Kilburn, Lewis, Palmer, Penrose, Perrin, Rea, Reynolds, Rigger, Turner, Upton, Vale, Yeomans—33.

The nays were:

None.

Absent or not voting:

Senators Brower, Ellis, Finn, Gorrell, Green, Harper, Harsh, Henderson, Kelly, Lehfelddt, Mattoon, Oleson, Perry, Phelps, Rowen, Terry, Waterman—17.

So the bill passed and the title was agreed to.

Senator Bishop moved that the Senate do now adjourn until 2 o'clock P. M. Monday.

Upon this the yeas and nays were demanded.

On the question, "Shall the Senate adjourn until 2 P. M., Monday?" the yeas were:

Senators Andrews, Bishop, Chantry, Cheshire, Dent, Downey, Harmon, Hipwell, Hurst, Jamison, Rigger, Terry, Upton, Yeomans—14.

The nays were:

Senators Baldwin, Boardman, Carpenter, Conaway, Craig, Eaton, Everall, Funk, Garst, Green, Groneweg, Jewett, Kilburn, Lewis, Palmer, Penrose, Perrin, Rea, Reynolds, Turner, Vale, Waterman—22.

Absent or not voting:

Senators Brower, Ellis, Finn, Gorrell, Harper, Harsh, Henderson, Kelly, Lehfelddt, Mattoon, Oleson, Perry, Phelps, Rowen—14.

So the Senate refused to adjourn.

Senators Dent, Bishop, Jamison, Rikken, Phelps and Hipwell were granted leave of absence until Monday, and Senators Terry, Hurst and Yeomans until Tuesday.

Yesterday's journal was read and approved.

Senator Green moved that the Senate do now adjourn until 2 o'clock P. M., Monday.

Upon this the yeas and nays were demanded.

On the question, "Shall the Senate adjourn until 2 P. M. Monday?" the yeas were:

Senators Andrews, Baldwin, Boardman, Chantry, Downey, Ellis, Green, Groneweg, Harmon, Kilburn, Palmer, Perrin, Rea, Rikken, Terry, Turner, Upton, Vale—18.

The nays were:

Senators Carpenter, Cheshire, Conaway, Craig, Eaton, Everall, Funk, Garst, Lewis, Penrose, Reynolds, Waterman—12.

Absent or not voting:

Senators Bishop, Brower, Dent, Finn, Gorrell, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Lehfeldt, Mattoon, Oleson, Perry, Phelps, Rowen, Yeomans—20.

So the motion was carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Monday, March 19, 1894. }

Senate met pursuant to adjournment, at 2 o'clock, P. M., and was called to order by President Dungan.

Prayer was offered by Rev. L. A. Harvey, of Des Moines.

PETITIONS AND MEMORIALS.

Senator Green presented petitions from W. F. Rohr and other policy holders in insurance companies of Monticello, Iowa, asking amendments to Senate file No. 28.

Referred to Committee on Ways and Means.

Senator Finn presented petitions from insurance policy holders of Cedar Falls, Iowa, on same subject.

Same reference.

Senator Craig presented a petition from citizens of Bremer county in relation to fraternal beneficial societies.

Referred to Committee on Insurance.

Senator Chantry presented a petition from members of the bar of Pottawattamie county, asking the appointment of N. M. Pusey as one of the commissioners to revise and codify the laws of Iowa.

Passed on file.

Senator Upton presented petitions from citizens and dairymen of Winneshiek county, asking the passage of Senate file No. 221, a bill for an act to regulate the coloring of imitation butter and cheese.

Referred to Committee on Agriculture.

Senators Reynolds, Terry, Turner and Rikken, and Second Assistant Secretary George A. Barrett, were granted leave of absence.

REPORTS OF STANDING COMMITTEES.

Senator Kelly, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined substitute for Senate file No. 155, a bill for an act to further provide for the care of insane persons, and find the same correctly engrossed.

M. J. KELLY,
Chairman.

Senator Kilburn, from the Committee on Compensation of Public officers, submitted the following report:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate file No. 358, a bill for an act to repeal section 3787 of the Code and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows:

By striking out as follows: In the eighth line of the attached bill the words "or guardian;" in the seventh line of the attached bill the words "or minor heir;" after the word "court" in the eleventh line the words "or at request of parties interested;" in the sixteenth line the words "or guardian;" also by striking out section 2; also by inserting after the second word "dollars" in the fifteenth line the following: "when the value is over seven thousand dollars, twelve dollars and fifty cents; for probating a foreign will, three dollars; for recording the same, five cents for each one hundred words; and when so amended that the bill do pass.

L. M. KILBURN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate file No. 361, a bill for an act to amend section 3798 of the Code as amended by chapter 184, section 3 of the Eighteenth General Assembly, relating to the salaries of county auditors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

L. M. KILBURN,
Chairman.

Ordered passed on file

Also:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred substitute for House file No. 47, a bill for an act to amend section 4, of chapter 94, of the acts of the Nineteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

L. M. KILBURN,
Chairman.

Ordered passed on file.

Senator Harsh, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 289, a bill for an act to amend section 859 of the Code of Iowa, and to fix the compensation of collectors of delinquent taxes, asks leave to report that it has had the same under consideration, and has instructed me to report the same back to the Senate with the recommendation that it do pass.

J. B. HARSH,
Chairman.

Ordered passed on file.

Senator Ellis, from the Committee on Banks, submitted the following report:

MR. PRESIDENT—Your Committee on Banks, to whom was referred Senate file No. 36, a bill for an act providing a substitute for chapter six of title 9, of the Code of 1873, for establishing and governing mutual loan and building associations, beg leave to report that they have had the same under consideration and have suggested the following amendments:

In the second line of section one, insert after the word "persons" the words "residents of Iowa"; also, after the word "members" in the third line of section 2, the words, "such sums of money in stated amounts for fees, dues, fines and premiums on loans made"; also, after the word "exceed" in fourth line of section 6, the words, "one per cent per annum of the par value of," and strike out "twelve per cent of the monthly receipts on"; also, strike out all that portion of section 8 after the word "premiums" in the fourth line thereof; also by striking out all of section 11, commencing with the word "nothing" in the ninth line; also strike out all of section 12; also by adding after the word "by" in the fourth line of section 13, the words "the full board of directors," and striking out in the fourth line "the executive council of Iowa"; also, strike out in section 14, first line, "any time he may see proper," and insert in lieu thereof "least once each year"; also in the third line of the same section strike out the word "day" and insert the word quarter"; and have instructed me to report the same back to the Senate with the recommendation that the same do pass as amended.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Senator Finn asked leave to withdraw his motion to reconsider the vote by which Senate file No. 324 failed of passage, and that the motion to reconsider be laid on the table.

Leave granted and motion withdrawn.

Senator Perrin asked that consideration of Joint Resolution No. 5 be deferred, but retain its place upon the calendar.

On motion of Senator Everall, Senate file No. 55, a bill for an act repealing section 1802, Code of 1873, as amended by chapter 27, Fifteenth General Assembly, chapter 113, Seventeenth General Assembly, and chapter 143, Eighteenth General Assembly, and section 1808 as amended by section 2, chapter 7, Eighteenth General Assembly, relative to the election of a president in independent school districts, and to enact a substitute in lieu thereof, with report of committee recommending that House file No. 106 be substituted therefor and that same do pass, was taken up, considered, and the report of the committee was read.

Senator Everall moved that the committee report be changed to read "accompanying substitute" instead of "House file No. 106."

Carried.

Senator Rea moved that the publication clause be stricken out.

Carried.

Senator Everall moved that the rules be suspended, the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Everall, Funk, Gorrell, Green, Harper, Harsh, Hipwell, Jewett, Kelly, Kilburn, Lewis, Mattoon, Palmer, Perrin, Phelps, Rea, Upton, Waterman—29.

The nays were:

Senators Boardman, Garst—2.

Absent or not voting:

Senators Eaton, Ellis, Finn, Groneweg, Harmon, Henderson, Hurst, Jamison, Lehfeltdt, Oleson, Penrose, Perry, Reynolds, Rigger, Rowen, Terry, Turner, Vale, Yeomans—19.

So the bill passed and the title was agreed to.

On motion of Senator Kilburn, House file No. 279, a bill for an act to amend section 1, chapter 24 of the laws of the Twenty-third General Assembly, with regard to the purchase and sale of text-books, with report of committee recommending passage was taken up, considered, and the report of the committee was read.

Senator Kilburn moved that the bill be read a third time now.

Carried.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the Senate has passed the following bills in which the concurrence of the House was asked:

Senate file No. 125, a bill for an act to amend section 289, of the Code of 1873, as subsequently amended.

Senate file No. 309, a bill for an act to amend chapter 1 of the acts of the Twenty-fourth General Assembly, entitled, an act to establish a board of park commissioners in certain cities of the first class, defining their powers and prescribing their duties.

I. K. WILSON,
Chief Clerk,

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Concurrent Resolution in which the concurrence of the House was asked:

Resolution to concur in the report of the Committee on Pardons in the matter of application of Thomas Brooks.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

House file No. 103, a bill for an act to repeal section 1495 of the Code, as

amended by chapter 95 of the Twenty-second General Assembly, and to enact a substitute therefor; and to amend section 1508 of the Code as amended by chapter 95 of the Twenty-second General Assembly relating to partition fences.

House file No. 429, a bill for an act to provide for an additional member of the State board of health.

House file No. 495, a bill for an act to amend sections 2649 and 5621 of the Code of Iowa, relating to demurrers.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

House file No. 447, a bill for an act to amend section 1, chapter 90 of the laws of the Twenty-fourth General Assembly, relating to an appropriation for a stone-shop at the penitentiary at Anamosa.

House file No. 97, a bill for an act to amend section 3784 of the Code of 1873.

House file No. 182, a bill for an act to amend section 857 of the Code, relating to the collection of taxes on personal property.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

House file No. 201, a bill for an act to better protect the property of the State at the industrial schools.

House file No. 240, a bill for an act to amend sections 2 and 4 of chapter 68 of the laws of the Twenty-fourth General Assembly of the State of Iowa.

I. K. WILSON,
Chief Clerk.

Senator Kelley offered the following amendment:

Strike out of the bill the following: "Consulting the convenience of the people."

Adopted.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas were.

Senators Andrews, Baldwin, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Eaton, Everall, Finn, Funk, Garst, Gorrell, Green, Harper, Harsh, Jewett, Kelly, Kilburn, Lewis, Mattoon, Perrin, Perry, Phelps, Rea, Upton, Waterman—30.

The nays were:

Senators Bishop, Downey—2.

Absent or not voting:

Senators Ellis, Groneweg, Harmon, Henderson, Hipwell, Hurst, Jamison, Lehfeldt, Oleson, Palmer, Penrose, Reynolds, Rigger, Rowen, Terry, Turner, Vale, Yeomans—18.

So the bill passed and the title was agreed to.

On motion of Senator Harper, Senate file No. 194, a bill for an act to amend section 461 of the Code of Iowa, in reference to the

establishment and maintenance of free public libraries, with report of committee recommending amendments and when so amended that the same do pass, was taken up, considered, and the report of the committee adopted.

Senator Harper moved that the rule be suspended, and the bill be considered engrossed and read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Everall, Funk, Garst, Gorrell, Green, Harper, Harsh, Hipwell, Jewett, Kelly, Kilburn, Lewis, Palmer, Perrin, [Perry, Phelps, Upton, Waterman—31.

The nays were:

None.

Absent or not voting:

Senators Brower, Finn, Groneweg, Harmon, Henderson, Hurst, Jamison, Lohfeldt, Mattoon, Oleson, Penrose, Rea, Reynolds, Rikken, Rowen, Terry, Turner, Vale, Yeomans—19.

So the bill passed and the title was agreed to.

Senator Cheshire moved that House messages be taken up for consideration.

Carried.

HOUSE MESSAGES.

House file No. 201, a bill for an act to better protect the property of the State at the Industrial School, was read first and second times and referred to Committee on Educational Institutions.

House file No. 240, a bill for an act to amend sections 2 and 4 of chapter 68 of the laws of the Twenty-fourth General Assembly of the State of Iowa, was read first and second times.

Senator Cheshire moved that House file No. 240 be substituted for Senate file No. 158.

Carried.

Senator Cheshire offered the following amendment:

Strike out the word "second" in the second line of section 1, and insert in lieu thereof the word "first."

Adopted.

Senator Cheshire moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Everall,

Funk, Garst, Gorrell, Green, Harper, Harsh, Jewett, Kelly, Kilburn, Lewis, Palmer, Perrin, Perry, Phelps, Rea, Upton, Waterman—31

The nays were:

None.

Absent or not voting:

Senators Brower, Finn, Groneweg, Harmon, Henderson, Hipwell, Hurst, Jamison, Lehfeltdt, Mattoon, Oleson, Penrose, Reynolds, Riggan, Rowen, Terry, Turner, Vale, Yeomans—19.

House file No. 447, a bill for an act to amend section 1, chapter 90, of the laws of the Twenty-fourth General Assembly, relating to an appropriation for a stone shop for the penitentiary at Anamosa, was read a first and second times and referred to the Committee on Penitentiaries and Pardons.

House file No. 97, a bill for an act to amend section 3784, of the Code of 1873, was read a first and second times and referred to Committee on Compensation of Public Officers.

House file No. 182, a bill for an act to amend section 857 of the Code, relating to the collection of taxes on personal property, was read first and second times and referred to Committee on Judiciary.

House file No. 103, a bill for an act to repeal section 1495 of the Code, as amended by chapter 95, of the Twenty-second General Assembly, and to enact a substitute therefor, and to amend section 1508 of the Code, as amended by chapter 95, of the Twenty-second General Assembly, relating to partition fences, was read a first and second time and passed on file.

House file No. 495, a bill for an act to amend sections 2650 and 2651 of the Code of Iowa, relating to demurrers, was read a first and second time and referred to Committee on Judiciary.

House file No. 429, a bill for an act to provide for an additional member of the State Board of Health, was read a first and second time and referred to Committee on Public Health.

On motion of Senator Andrews, House file No. 150, a bill for an act to amend section 3327 of the Code of 1873, relating to the satisfaction of school fund mortgages, with report of committee recommending passage, was taken up, considered and the report of committee was read.

Senator Andrews moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Chantry, Cheshire, Conaway, Downey, Eaton, Everall, Finn, Garst, Gorrell, Harper, Harsh, Hipwell, Jewett, Kilburn, Lehfeltdt, Lewis, Mattoon, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Upton, Waterman—26.

The nays were:

Senator Garst—1.

Absent or not voting:

Senators Brower, Carpenter, Craig, Dent, Ellis, Funk, Green, Groneweg, Harmon, Henderson, Hurst, Jamison, Kelly, Lehfelddt, Oleson, Penrose, Reynolds, Rikken, Rowen, Terry, Turner, Vale, Yeomans—23.

So the bill passed and the title was agreed to.

On motion of Senator Waterman, House file No. 447, a bill for an act to amend section 1, chapter 90, of the laws of the Twenty-fourth General Assembly, relating to an appropriation for a stone shop at the penitentiary at Anamosa, was taken up for consideration.

Senator Waterman moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Dent, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Gorrell, Harper, Harsh, Hipwell, Jewett, Kelly, Kilburn, Lewis, Mattoon, Palmer, Perrin, Perry, Phelps, Upton, Waterman—31.

The nays were:

None.

Absent or not voting:

Senators Brower, Craig, Green, Groneweg, Harmon, Henderson, Hurst, Jamison, Lehfelddt, Oleson, Penrose, Rea, Reynolds, Rikken, Rowen, Terry, Turner, Vale, Yeomans—19.

So the bill passed and the title was agreed to.

On motion of Senator Boardman, Senate file No. 139, a bill for an act to amend chapter 193 of the acts of the Twentieth General Assembly of the State of Iowa, and make further provisions in reference to the investment of the endowment fund of the Iowa State Agricultural College and farm, with report of committee recommending amendments and when so amended it do pass, was taken up, considered, and the report of the committee adopted.

Senator Boardman moved that the rules be suspended, the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Dent, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Gorrell, Harper, Harsh, Jewett, Kelly, Kilburn, Lewis, Mattoon, Palmer, Perrin, Perry, Phelps, Rea, Upton, Waterman—31.

The nays were:

None.

Absent or not voting:

Senators Brower, Craig, Green, Groneweg, Harmon, Henderson, Hipwell, Hurst, Jamison, Lehfelddt, Oleson, Penrose, Reynolds, Rigen, Rowen, Terry, Turner, Vale, Yeomans—19.

So the bill passed and the title was agreed to.

(On motion of Senator Waterman, Senate file No. 234, a bill for an act to amend chapter 200 of the acts of the Eighteenth General Assembly, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Waterman moved that the rule be suspended and **the** bill be considered engrossed and read a third time now.

Senator Perry offered the following amendment:

Add after "4783," in line one, section 1. the words, "of the Code as **amended** by."

Consideration deferred and bill retains its place on the calendar.

On motion of Senator Craig, Senate file No. 53, a bill for an **act** to repeal section 11 of the Code of 1873 in relation to counties **granting** appropriations to agricultural societies, and enact a substitute **therefor**, with report of committee recommending amendments and **when** so amended that same do pass, was taken up, considered, **and** the report of the committee was read.

Senator Perry offered the following amendment:

Insert the word "title" after the the word "procure" in the second line of *section* 1.

Adopted.

Senator Craig moved that the rule be suspended, and the bill be considered engrossed and read a third time now which motion prevailed, and the bill was read a third time.

Senator Craig asked unanimous consent to insert the word "to" before the word "land" in second line of section 1.

Granted.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Everall, Finn, Funk, Garst, Gorrell, Harper, Harsh, Jewett, Kilburn, Palmer, Perrin, Perry, Phelps, Rea, Upton—27.

The nays were:

None.

Absent or not voting:

Senators Eaton, Ellis, Green, Groneweg, Harmon, Henderson, Hipwell, Hurst, Jamison, Kelly, Lehfelddt, Lewis, Mattoon, Oleson, Penrose, Reynolds, Rigen, Rowen, Terry, Turner, Vale, Waterman, Yeomans—23.

So the bill passed and the title was agreed to.

House file No. 79, a bill for an act to amend section 2130, Code of 1873, as amended by section 3, chapter 100, acts of the Sixteenth General Assembly, so as to give graders a lien on land or lots graded, with report of committee recommending passage, was taken up, considered, and the report of the committee was read.

Senator Conaway moved that the Senate do now adjourn.

Lost.

Senator Kelly offered the following amendment:

Strike out of section 1 the following: "Section 2130 of the Code of 1873 as amended by" and insert in lieu thereof the word "that."

Adopted.

Senator Waterman offered the following amendment:

Strike out the word "fourth" in third line of printed bill and insert "fifth" in lieu thereof, and also the word "ninth" in fourth line of said bill and substitute "tenth" in lieu thereof.

Adopted.

Senator Waterman moved that the bill be read a third time to-morrow.

Carried.

Senator Cheshire moved that Senate file No. 309, a bill for an act to amend chapter 1 of the acts of the Twenty-fourth General Assembly, entitled an act to establish a board of park commissioners in certain cities of the first class, defining powers and prescribing their duties, be taken up for consideration.

Carried.

Senator Cheshire moved that the Senate concur in the House amendments.

On the question, "Shall the Senate concur in House amendments to Senate file No. 309?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Finn, Funk, Garst, Gorrell, Green, Harper, Harsh, Jewett, Kelly, Lewis, Mattoon, Palmer, Penrose, Perrin, Perry, Phelps, Upton, Waterman—27.

The nays were:

None.

Absent or not voting:

Senators Brower, Carpenter, Chantry, Ellis, Everall, Groneweg, Harmon, Henderson, Hipwell, Hurst, Jamison, Kilburn, Lehfeldt, Oleson, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Vale, Yeomans—23.

So the motion to concur prevailed.

Senator Kelly offered the following amendment and moved its adoption:

Amend section 1 as follows: Add after the word "grading" in line two the words "or plowing;" also add after the word "so" in fifth line thereof the words "plowed or."

Lost.

Senator Waterman moved that the bill be read a third time to-morrow.

Carried.

Senator Dent moved that the Senate do now adjourn.

Carried.

The journal was read, corrected and approved.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, March 20, 1894. }

Senate met in regular session at 9 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. M. L. Jennings, of Des Moines.

PETITIONS AND MEMORIALS.

Senator Green presented petition of eighty-seven citizens and dairymen of Jones county, asking the passage of Senate file No. 221, a bill for an act to regulate the coloring of imitation butter and cheese.

Referred to Committee on Agriculture.

Senator Brower presented a petition from policy holders in insurance companies of Mason City, Iowa, asking amendments to Senate file No. 28.

Referred to Committee on Ways and Means.

Senator Rea presented petitions from Lyman Cole and thirteen other insurance policy holders of Grundy Center, Iowa, on same subject.

Same reference.

Senator Palmer presented a petition from William French, an insurance policy holder of Wildemar, Cal., on same subject.

Same reference.

Senator Oleson presented a petition from insurance policy holders of Fonda, Iowa, on same subject.

Same reference.

Senator Henderson presented a petition from insurance policy holders of Fonda, Iowa, on same subject.

Same reference.

Senator Downey presented a petition from insurance policy holders of Donnelson, Iowa, on same subject.

Same reference.

Senator Oleson presented a petition from citizens of Ft. Dodge, Iowa, asking passage of a law raising the age of consent.

Referred to Committee on Public Health.

Senator Bishop presented a petition from twenty-four mothers and four teachers of Ireton, Iowa, on same subject.

Same reference.

Senator Conaway presented petitions from physicians and their patrons, pharmacists and citizens of Chariton, Brooklyn, and Black Hawk county, Iowa, asking passage of Senate file No. 337, in relation to the practice of medicine and surgery, and for the repeal of the pharmacy law.

Same reference.

Also:

A petition from local union No. 277 of the Cigar Makers' International Union of America, asking for the passage of Senate file No. 78.

Referred to Committee on Labor.

Senator Reynolds presented a petition from citizens of Centerville, Iowa, asking additional room at Soldiers' Home at Marshalltown for soldiers' widows and army nurses.

Referred to Committee on Military.

Senator Cheshire presented a petition from W. A. Park and 271 other citizens of Polk county, asking passage of Senate file No. 103 and House file No. 187.

Referred to Committee on Banks and Banking.

INTRODUCTION OF BILLS.

By Senator Perrin, Senate file No. 392, a bill for an act to legalize the acts of Zion church of the evangelical associations in Charles City, Floyd county, Iowa, and its board of trustees.

Read first and second times and referred to Committee on Judiciary.

By Senator Gorrell, Senate file No. 393, a bill for an act to secure the settlement of all matters of law and equity which might be the subject of civil action by arbitration in all cases where the amount in controversy does not exceed three hundred dollars.

Read first and second times and referred to Committee on Judiciary.

By Senator Baldwin, Senate file No. 394, a bill for an act to amend chapter 39, acts of the Fifteenth General Assembly, as amended by chapter 68, acts of the Seventeenth General Assembly, relating to county board of supervisors.

Read first and second times and referred to Committee on Elections.

REPORTS OF STANDING COMMITTEES.

Senator Reynolds, from the Committee on Mines and Mining, submitted the following report:

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred Senate file No. 258, a bill for an act to amend chapter 54, laws of 1888, relating to weighing coal at mines, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

E. M. REYNOLDS,
Chairman.

Ordered passed on file.

Senator Carpenter, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 345, a bill for an act to make February 22d a legal holiday in the State of Iowa and closing all schools on that day, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

C. A. CARPENTER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 333, a bill for an act to repeal section 1823 of the Code and enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

C. A. CARPENTER,
Chairman.

Ordered passed on file.

Senator Dent moved that Senate file No. 155, a bill for an act to further provide for the care of insane persons, be read a third time.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Eaton, Ellis, Everall, Finn, Funk, Garst, Gorrell, Harmon, Harper, Henderson, Hipwell, Jewett, Kelly, Lehfelddt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rikken, Rowen, Upton, Waterman—38.

The nays were:

Senator Perry—1.

Absent or not voting:

Senators Downey, Green, Groneweg, Harsh, Hurst, Jamison, Kilburn, Terry, Turner, Vale, Yeomans—11.

So the bill passed and the title was agreed to.

Senator Waterman moved that House file No. 79, a bill for an act to amend section 2130, Code of 1873, as amended by section 3, chapter 100, of the acts of the Sixteenth General Assembly, so as to give graders a lien on land or lots graded, be read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Boardman, Brower, Carpenter, Cheshire, Craig, Downey, Ellis, Everall, Funk, Gorrell, Green, Harmon, Harsh, Henderson, Hurst, Kilburn, Lewis, Palmer, Penrose, Perrin, Phelps, Reynolds, Rigger, Rowen, Waterman—27.

The nays were:

Senators Garst, Groneweg, Kelly, Perry, Terry, Upton—6.

Absent or not voting:

Senators Bishop, Chantry, Conaway, Dent, Eaton, Finn, Harper, Hipwell, Jamison, Jewett, Lehfeltdt, Mattoon, Oleson, Rea, Turner, Vale, Yeomans—16.

So the bill passed.

Senator Waterman moved to amend title by striking out all after the word "amend" in the first line to the word "section," the second time it appears in first line.

Carried.

The title was agreed to.

Senator Kelly moved to take up for consideration his concurrent resolution relative to final adjournment.

Carried.

Upon this the yeas and nays were demanded.

On the question, "Shall the concurrent resolution be adopted?" the yeas were:

Senators Baldwin, Bishop, Brower, Carpenter, Chantry, Cheshire, Dent, Downey, Eaton, Ellis, Everall, Finn, Gorrell, Green, Groneweg, Harmon, Harper, Hipwell, Hurst, Jamison, Jewett, Kelly, Lehfeltdt, Mattoon, Oleson, Penrose, Perrin, Perry, Phelps, Terry, Upton, Waterman—31.

The nays were:

Senators Andrews, Boardman, Conaway, Craig, Funk, Garst, Harsh, Henderson, Kilburn, Palmer, Reynolds, Rigger, Rowen, Waterman—14.

Absent or not voting:

Senators Lewis, Rea, Turner, Vale, Yeomans—5.

So the resolution was adopted.

Senator Harper moved to reconsider the vote by which the concurrent resolution passed the Senate.

Senator Kelly moved to lay the motion to reconsider upon the table.

Upon this the yeas and nays were demanded.

On the question, "Shall the motion to lie on the table the motion to reconsider prevail?" the yeas were:

Senators Baldwin, Bishop, Conaway, Dent, Downey, Eaton, Everall, Finn, Gorrell, Green, Groneweg, Harper, Hipwell, Hurst, Kelly, Mattoon, Oleson, Perry, Phelps, Terry, Upton—21.

The nays were:

Senators Andrews, Boardman, Brower, Chantry, Cheshire, Craig, Ellis, Funk, Garst, Harmon, Harsh, Henderson, Jamison, Jewett, Kilburn, Lehfelddt, Lewis, Palmer, Perrin, Rea, Reynolds, Rigger, Rowen, Waterman—24.

Absent or not voting:

Senators Carpenter, Penrose, Turner, Vale, Yeomans—5.

So the motion was lost.

Senator Harper asked leave to file a motion to reconsider the vote by which Senator Kelly's resolution on adjournment *sine die* passed the Senate.

Leave granted and motion filed.

Senator Gorrell moved to take up for consideration Senate file No. 138.

On this the yeas and nays were demanded.

On the question, "Shall Senate file No. 138 be taken up?" the yeas were:

Senators Andrews, Baldwin, Boardman, Conaway, Craig, Eaton, Finn, Gorrell, Harmon, Harsh, Mattoon, Palmer, Perrin, Reynolds, Rowen, Upton—16.

The nays were:

Senators Bishop, Cheshire, Dent, Everall, Funk, Garst, Green, Groneweg, Harper, Henderson, Hurst, Jamison, Kelly, Kilburn, Oleson, Penrose, Perry, Phelps, Rea, Terry, Waterman—21.

Absent or not voting:

Senators Brower, Carpenter, Chantry, Downey, Ellis, Hipwell, Jewett, Lehfelddt, Lewis, Rigger, Turner, Vale, Yeomans—13.

So the Senate refused to take up Senate file No. 138.

Senator Ellis asked leave to recall Senate file No. 36.

Leave granted and bill recalled.

House file No. 24, a bill for an act for the protection of poor debtors in supplemental proceedings, and repeal section 3137 of the Code and enact a substitute therefor and amend sections 3141 and 3144, with report of committee recommending passage, was taken up, considered, and the report of the committee was read.

Senator Harper offered the following amendment:

After the word "receive" in the eighth line insert the words "said fees be endorsed on the judgment," and strike out of eighth line "are paid or tendered to him as."

Lost.

Senator Harmon moved the bill be read a third time now.

Senator Perry moved to strike out all of section 2 of the bill.

Senator Palmer in the chair.

On Senator Perry's motion the yeas and nays were demanded.

On the question, "Shall section two be stricken out?" the yeas were:

Senators Andrews, Carpenter, Downey, Funk, Groneweg, Harper, Hurst, Kelly, Penrose, Perry, Phelps, Waterman—12.

The nays were:

Senators Chantry, Eaton, Ellis, Everall, Gorrell, Harmon, Henderson, Jewett, Kilburn, Palmer, Perrin, Rea, Reynolds, Rikken, Upton—15.

Absent or not voting:

Senators Baldwin, Bishop, Boardman, Brower, Cheshire, Conaway, Craig, Dent, Finn, Garst, Green, Harsh, Hipwell, Jamison, Lehfeltd, Lewis, Mattoon, Oleson, Rowen, Terry, Turner, Vale, Yeomans—23.

So the motion to strike out section 2 was lost.

Senator Cheshire offered the following amendment and moved its adoption:

Amend section one by inserting after the word "debtor," in the seventh line of the printed bill, the words, "in the discretion of the court, judge or referee before whom he or she has been summoned."

Lost.

Bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Brower, Chantry, Cheshire, Conaway, Eaton, Ellis, Everall, Finn, Gorrell, Harmon, Henderson, Jamison, Jewett, Kilburn, Mattoon, Palmer, Perrin, Phelps, Rea, Reynolds, Rikken, Rowen, Terry, Upton—25.

The nays were:

Senators Baldwin, Bishop, Carpenter, Dent, Downey, Funk, Garst, Groneweg, Harper, Kelly, Lehfeltd, Penrose, Perry—14.

Absent or not voting:

Senators Boardman, Craig, Green, Harsh, Hipwell, Hurst, Lewis, Oleson, Turner, Vale, Yeomans—11.

So the bill, having failed to receive a constitutional majority, was declared lost.

On motion of Senator Harper, Senate file No. 222, a bill for an act to regulate the writing of insurance risks, with report of committee recommending amendments and when so amended that the same do pass, was taken up, considered, and the report of the committee was read.

Senator Harper moved that the rule be suspended, and the bill be considered engrossed and read a third time now which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Carpenter, Conaway, Craig, Dent, Downey, Ellis, Everall, Funk, Garst, Gorrell, Harmon, Harper, Henderson, Hurst, Jamison, Lehfelddt, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rowen, Terry, Upton—30.

The nays were:

Senators Brower, Chantry, Finn, Groneweg, Rigger—5.

Absent or not voting:

Senators Bishop, Boardman, Cheshire, Eaton, Green, Harsh, Hipwell, Jewett, Kelly, Kilburn, Lewis, Turner, Vale, Waterman, Yeomans—15.

So the bill passed and the title was agreed to.

Senator Baldwin moved that the vote by which House file No. 24 failed of passage be reconsidered, and asked that the motion lay over.

Senate file No. 180, a bill for an act to amend chapter 151, acts of the Eighteenth General Assembly, relating to the State Board of Health, with report of committee recommending amendments and when so amended that the same do pass, was taken up, considered, and the report of the committee adopted.

The bill was read by sections for information and amendments.

President Dungan in the chair.

Senator Perry moved to strike out section 2.

Lost.

The Governor's Private Secretary appeared and delivered the following

MESSAGE FROM THE GOVERNOR.

STATE OF IOWA,
EXECUTIVE OFFICE. }
DES MOINES, March 20, 1894. }

MR. PRESIDENT—I am instructed by the governor to inform you that he has approved, signed and deposited in the office of the secretary of state the following bills:

Senate file No. 295, an act to amend section 2, chapter 52, acts of the Nineteenth General Assembly, in relation to compensation of officers and employes of the General Assembly.

Senate file No. 163, an act defining the powers of railroad companies with reference to securities of other companies.

Senate file No. 254, an act to legalize the action of the school board of the independent district of Belle Plaine, Benton County, Iowa, relating to the levy of school taxes in 1893.

Senate file No. 117, an act to legalize the levy of taxes for 1893 in Carroll County, Iowa,

Senate file No. 266, an act to legalize the acts and ordinances of the incorporated town of Reinbeck, Grundy county, Iowa.

Senate file No. 113, an act to legalize the ordinances and resolutions passed by the incorporated town of Imogene, Fremont county, Iowa.

Senate file No. 184, an act legalizing the ordinances of the town of West Decorah, Iowa, and all acts of the officers of said town done thereunder.

Senate file No. 49, an act appropriating \$87.20 to defray the expenses of a delegate appointed by the Governor to attend the beef and pork combine convention at St. Louis.

W. S. RICHARDS.

Private Secretary.

Senator Conaway offered the following amendment:

Amend section 5 by inserting after the word "shall" in first line, the words "within sixty days after the passage of this act."

Adopted.

Senator Conaway offered the following amendment:

Amend section 5 by inserting after the word "practice," in line 3 the words "a copy of which registraation shall be furnished within thirty days to the State board of health by the county auditor."

Adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the House was asked:

Senate file No. 64, a bill for an act to apply to cities of the first class, the provisions of chapter 78, laws of the Twenty-first General Assembly, as amended by chapter 17, laws of the Twenty-second General Assembly, and chapter 15, laws of the Twenty-fourth General Assembly.

House file No. 143, a bill for an act creating a board of library trustees, defining the powers and prescribing the duties of such board.

I. K. WILSON,

Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 235, a bill for an act to amend section 1, chapter 18, of the acts of the Twenty-second General Assembly.

I. K. WILSON,

Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House

has concurred in the Senate amendment to the following bill in which the concurrence of the House was asked:

House file No. 240, a bill for an act to amend sections 2 and 4, of chapter 68, of the laws of the Twenty-fourth General Assembly.

I. K. WILSON,
Chief Clerk.

Senator Rea offered the following amendment:

Strike out the word "fifteen" in the third line of section 14 and insert in lieu thereof the word "twelve."

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Andrews, Baldwin, Brower, Chantry, Eaton, Finn, Garst, Gorrell, Groneweg, Harmon, Harper, Henderson, Jamison, Jewett, Kelly, Kilburn, Lehfeldt, Lewis, Oleson, Penrose, Perry, Phelps, Rea, Waterman—24.

The nays were:

Senators Cheshire, Dent, Funk, Perrin, Reynolds, Rigger—6.

Absent or not voting:

Senators Bishop, Boardman, Carpenter, Conaway, Craig, Downey, Ellis, Everall, Green, Harsh, Hipwell, Hurst, Mattoon, Palmer, Rowen, Terry, Turner, Upton, Vale, Yeomans—20.

So the amendment was adopted.

Senator Turner was granted leave of absence until Wednesday.

Journal of yesterday was read, corrected and approved.

Senator Kelly moved that the Senate do now adjourn.

Carried.

The Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment, at 2 o'clock P. M., President Dungan presiding.

The hour for consideration of the special order having arrived, Senator Harsh moved to postpone such consideration for one hour.

Carried.

Senator Funk offered the following amendment:

Strike from line six, section 14, the word "ten," and insert in lieu thereof the word "five."

Adopted.

Senator Perry offered the following amendment:

Strike out the words "five hundred," in the first line of section 16.

Adopted.

Senator Bishop offered the following amendment:

Strike out the last sentence in section 22.

Adopted.

Senator Kelly offered the following amendment:

Strike out of section 28 all after the word "just," in the seventh line thereof.

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Bishop, Carpenter, Dent, Downey, Eaton, Groneweg, Hurst, Kelly, Perry—9.

The nays were:

Senators Baldwin, Cheshire, Craig, Ellis, Everall, Finn, Funk, Gorrell, Harmon, Harper, Harsh, Henderson, Hurst, Jewett, Palmer, Penrose, Perrin, Rea, Roynolds, Rigger, Rowen, Vale, Waterman—22.

Absent or not voting:

Senators Andrews, Boardman, Brower, Chantry, Conaway, Garst, Green, Hipwell, Jamison, Kilburn, Lehfelddt, Lewis, Mattoon, Oleson, Phelps, Terry, Turner, Upton, Yeomans—19.

So the amendment was lost.

Senator Bishop offered the following amendment:

Insert before the word "township," wherever it occurs in section 29, the words "city, town or."

Adopted.

Senator Kelly offered the following amendment to section thirty-two and moved its adoption:

Strike out "twenty-five dollars" in third line and insert in lieu thereof the words "one dollar."

Adopted.

Senator Rea offered the following amendment to section 32, and moved its adoption:

Strike out the words "or by both fine and imprisonment in the discretion of the court" in the fourth and fifth lines of said section.

Adopted.

Senator Cheshire offered the following amendment to section thirty-two and moved its adoption:

I move to amend by inserting after the word "dollar" the words "and costs, and shall stand committed until said fine and costs are paid."

Adopted.

Senator Bishop offered the following amendment to section 32 and moved its adoption:

Insert after the word "shall" in the first line the words "knowingly or wilfully."

Adopted.

Senator Funk moved that the consideration of the special order for the reconsideration of the vote by which Senate file No. 334 failed to pass the Senate be postponed until Thursday at 10 o'clock A. M.

Carried.

Senator Reynolds asked leave to file a motion to reconsider the vote by which section 16 of Senate file No. 180 was amended.

Leave granted and motion filed.

The hour for the special order, being memorial services in memory of Hon. J. W. McDill, having arrived, Senator Harsh sent the following communication, which was read by the secretary, and which was ordered spread upon the journal of the Senate:

BRIEF SKETCH OF THE LIFE OF JUDGE McDILL.

James Wilson McDill was born in Butler county, Ohio, March 4, 1834. He died of typhoid fever at his home in Creston, Iowa, on February 28, 1894, aged 59 years, 11 months and 24 days. Judge McDill was a man slightly over medium height, of heavy build, light complexion, hair brown bordering on sandy, broad shoulders, standing erect, walking with modest tread and possessing an attractive presence. Mr. McDill was one of the well-known pioneers of Union county. He came to Afton April 16, 1857, having been identified with the county about thirty-seven years.

When he was quite young his father, Rev. John McDill, removed with his family to Hanover, Jefferson county, Indiana, where he became the settled pastor of a church, and died in 1840. He commenced his preparatory studies at Hanover college, and in 1845 returned to Ohio and continued his studies at Salem academy, South Salem, Ross county. In 1851 he entered the junior class of Miami university and graduated in 1853. After this he taught school one year in Kossuth, Iowa, then returned to Ohio and began the study of law at Columbus with Messrs. Galloway & Mathews. He was admitted to the bar at Akron September 30, 1856. In October following he came to Iowa, spending the winter at Burlington, coming to Afton the following spring.

In August, 1857, he was married to Miss Narcissa Fullenwider, daughter of Samuel Fullenwider, who emigrated from Kentucky to Iowa in 1837. There are four daughters and one son living. Upon locating at Afton, Mr. McDill at once formed a law partnership with Reuben Riggs, Esq., the firm's name being Riggs & McDill. In the fall of 1858, Mr. McDill was elected county judge of Union county, and in 1859 he was elected county superintendent of schools, the first one elected to that position in Union county.

In November, 1861, Governor Grimes, who had then become United States Senator, appointed Judge McDill clerk of the Senate Committee on the District of Columbia, of which committee Governor Grimes was chairman. This position he filled until February, 1862, when he was appointed by Governor Chase, then secretary of the treasury, to a clerkship in the third auditor's office at Washington,

serving a part of the time as chief of the division of war claims. In May, 1865, he opened an office in Washington and entered into a partnership in the prosecution of war claims.

In October, 1866, he returned to Afton and formed a law partnership with N. W. Rowell. In the fall of 1868 he was elected judge of the Circuit court, assuming the duties of that office January 1, 1869, being the first Circuit judge of his district. Two years later he was appointed District judge to fill the office made vacant by the elevation of Judge Day to the Supreme bench, and was afterward elected by the people. In August, 1872, Judge McDill was the Republican nominee for Congress for the Eighth district. He accordingly resigned the office of judge, and was elected, and re-elected in 1874, serving in the Forty-third and Forty-fourth Congresses.

In the former he was a member of the committee on the Pacific railroad, and in the latter on public lands; and when the difficulty attending the presidential election in 1876 occurred, he was a member of the committee appointed to inquire into the privileges of the House as to the electoral count. He declined a third term in Congress and resumed the practice of his profession. In 1878 after the passage of the railroad commission law, he was appointed by Governor Gear commissioner, and served nearly three years and until appointed Senator to succeed Governor Kirkwood. In 1881, President Garfield having appointed Samuel Kirkwood, then United States Senator, to the office of Secretary of the Interior, Governor Gear appointed Judge McDill United States Senator to fill the vacancy made by the promotion of Kirkwood. He took his seat March 8, 1881.

Upon the convening of the Iowa State legislature the following winter he was elected to serve the unexpired term, which extended to March 4, 1883. At the close of his service as United States Senator he again resumed the practice of law. April 4, 1884, he became a railroad commissioner by appointment of Governor Sherman, a position he filled with credit for several years. In 1872 Judge McDill and E. F. Sullivan formed a partnership in the practice of law which existed for twenty years, the Judge retiring in 1892.

On the 4th of January, 1892, Judge McDill was appointed to the Interstate Commerce Commission by President Harrison to fill the vacancy caused by the resignation of Judge Cooley. While serving the unexpired term of Judge Cooley, Judge McDill was chairman of the commission. Prior to the expiration of the term Mr. McDill was reappointed by President Harrison for a full term, which does not expire until January 1, 1899. Ex-President Harrison and Dr. David B. Swing of Chicago, were both classmates of Judge McDill at Miami college.

Judge McDill resided in Creston since 1885. He was, during the greater part of his life, a consistent member of the Presbyterian church. His body was laid to rest in Graceland cemetery near the city of his home. His funeral was largely attended by men prominent in business and professional life both in the State and Nation.

Senator Harsh offered the following resolution:

MR. PRESIDENT—Your committee to draft suitable resolutions relative to the death of the late J. W. McDill, ask leave to report as follows:

WHEREAS, Hon. James W. McDill, died at his home in Creston, Iowa, on February 28, 1894; and,

WHEREAS, The character and public services of Judge McDill are such as to command the respect and admiration of the people of this State, whom he has served more than a quarter of a century, therefore be it

Resolved, That the Senate of Iowa learns with sincere regret of the death of this eminent jurist, statesman and scholar, and tenders to his family the sympathy of this body.

Resolved, That the Secretary of the Senate cause an engrossed copy of these resolutions to be sent to Mrs. McDill at her home in Creston.

J. B. HARSH,
WILLIAM EATON,
T. B. PERRY,
Committee.

SENATOR J. B. HARSH,

of the Fifth District, in moving the adoption of the resolutions said:

MR PRESIDENT—The passing from this world of a human life is always an event that arrests the attention of the most careless on-looker. There is something so stately, so powerful, so mysterious in that which we call death that no man is so heedless, no man so stolid or indifferent as to remain unmoved in its presence.

The death of the most humble citizen brings sorrow to his relatives, friends and neighbors, but when a man largely endowed by nature with capacity to serve and elevate his fellows and these faculties have been stimulated and developed by exercise on a high and noble plane of intellectual activity passes over to the spirit world we look on in our grief in interrogatory helplessness.

Such, Mr. President, are the feelings of the people of Iowa to-day as we, their representatives, pay this last public tribute of respect to one of the men who helped in large degree, to make our State the admiration of all beholders. Judge McDill (for by that title, though he had others more dignified and important, his friends knew him best), was a man of strong personality, though it is difficult to analyze his character, or state accurately what were his principal characteristics.

Intellectually he was a symmetrical man, and therefore no element or trait in him was so prominent as to call for particular mention. His mind was naturally a judicial one, and if urged to name his most marked mental characteristic, those who knew him best would doubtless decide this to have been the strong feature in his make-up. But he was strong, also, as a scholar, strong as a lawyer, and still stronger as a statesman. He was an original thinker and loved to indulge his mind in contemplation of theories and speculate on probable future results of causes already in operation.

For instance, I well recall a conversation in which he outlined the type of man Iowa climate, food and water would likely produce when centuries shall have done their appointed work. All who knew the genial, hopeful temperament of the man may be sure that his ideal Iowa man of the future was as near perfection as mortals are ever expected to become. The plane of his activities was at all times elevated, and his life was, to his companions, a constant index pointing upward.

But he was not, however, formal or sanctimonious but approachable, companionable and helpful to those about him. As a lawyer his eminent success was quite as much due to the influence of his daily life as to his learning in the law, deftness in pleading or skill in argument. As an orator he was not at his best until forced by circumstances of the moment to summon his latent powers. On such occasions his friends had great reason to be proud of his talent in that direction.

His ability to attach to himself friends and secure their help in his undertakings amounted almost to genius. He deserved and held friends equal to any public man of his time and surroundings. The fact that he had served the people of his

state in various public positions for more than a third of a century furnishes abundant evidence of their continued confidence and esteem.

He was called from one position to another in quick succession. But whether as superintendent of the schools of his county, as judge on the bench, member of State or inter-state railroad commission, member of Congress or United States Senator, he was the same self-possessed, plain man, equal to any trust reposed in him, an honor to himself, his family, his neighborhood, his State and Nation. I know of no public man with whom to compare him, as he was unlike any whose character I have studied. Though his public service was long, and his legitimate opportunities for money-making were numerous, he did not push his efforts in that direction.

He was devoted to his duties as a husband and father, to his profession, to the study of political problems and to his privileges as a citizen. To these he gave freely of his time, thought and attention, rather than to the accumulation of property, except in sufficient quantity for present needs and the necessities of his family in the future.

Referring to his tendency towards contemplation of political problems, recalls to my mind what I presume was his last public appearance. It was at a Farmers' Institute held a few weeks ago in Creston. The judge had been an interested participant in the proceedings of the gathering and had been asked among others to address the meeting on the last day of the session on some political topic.

The line of his discourse was a showing of the tendency on the part of the courts of the country to usurp the functions of the legislative branch of the government. He warned his hearers that the courts, especially of last resort, by their decisions, are writing our laws instead of interpreting them. His utterances created a lasting impression on those who heard him. But he is gone. We are never to hear this plain though learned and cultured man who made such an impress on his state and country again.

He has gone to that "Great Beyond," of which we know so little. His faults were few, his virtues many. Let us cherish the hope that a life so useful here is finding a larger sphere of usefulness there. Freed from the limitations of this life, may we not hope—nay, Mr. President, are we not sure—that our friend is still, as he was wont to do here, mounting upward along a plane that ever ascends and ending, if indeed it ever ends, in regions of eternal harmony and bliss.

SENATOR WILLIAM EATON,

of the Seventh District, in seconding the motion of Senator Harsh, spoke as follows:

MR. PRESIDENT—In rising to speak to this memorial, I am impressed with the thought that honor's voice cannot provoke the silent dust, and flattery cannot soothe the dull, cold ear of death. And there comes too a regret that my acquaintance with the honored dead had so little of personal contact. When I came to my present home, Judge McDill had resigned his place upon the district bench to take up the higher, broader duties in Congress, and I was in daily personal business and political life in contact with those who, in all his lines and habits of life, knew him well. So, unbiased by personal preferences and opinions, my judgment of the character and work of Judge McDill is based on the universal verdict rendered by all his service, and all who knew him in any station.

As I believe one strong element in his character, and which contributed so largely to his success and to his great usefulness, was that after he had carefully

considered any matter of importance from all points of view his judgment was accurate and true and of great weight to those who knew him in any station. He was firm; but not stubborn; aggressive, but not antagonistic; firm to do the right and of great strength of example to others. In contentions of life, whether of professional or political lines, Judge McDill occupied a broad, safe plane, upon which warring factions and contending interests could gather in safe and conservative council, and Judge McDill was one upon whom contending interests could center. He was endowed by nature with faculties which joined by careful, earnest life lines made him a stumbling block to no right and a help to all.

While we feel our deep loss and the loss to the State in the demise of this statesman, and the irreparable loss of those of near and dearer ties, we have the faith, believe, and we do know that at the instant of our loss, heaven's golden gate, moving in silent harmony with the music of the spheres, opened and our honored citizen received the command to come up higher.

SENATOR T. B. PERRY,

of the Fifteenth District, in seconding the motion of Senator Harsh, spoke as follows:

MR. PRESIDENT—I well recollect the time I first became acquainted with the one whose worth we now commemorate. He bore a letter of introduction to me from that great lawyer, jurist, kind hearted man, and good friend, J. C. Hall of Burlington. It was as I now recollect in 1857. J. W. McDill was then a young lawyer on his way west seeking a location, having in view Afton the then new county seat of Union county.

During the short interview we had in my office at Albia, I formed a very high estimate of his ability and qualifications for a lawyer, and gave him what assistance I could. I have often wondered why a man of his intellectual endowments and excellent qualifications for the practice of his profession, should be satisfied to remain at Afton so many years, in view of its declining fortunes. But there is where he commenced his eventful career; where fortune was with him in all his aspirations and undertakings and made his life eventful if not, to some extent illustrious, as Judge of the Circuit court and member of congress.

One of the Iowa Railroad commissioners, United States senator and member of the Inter State Commerce Commission. He possessed all the qualifications calculated to render him the successful man he was before the people; kind-hearted and generous, highly sociable, learned, unselfish, able and distinguished, he was esteemed by all. His name will long be remembered as one among the great and good men of Iowa, and possibly as the most noted in the part of the State where he died and had lived so long.

In his death I have sustained the loss of a man who had from our first acquaintance been one of my warmest and truest friends. I have practiced in his court, we have been associated together and opposed in the trial of cases. I have met him in Washington and shared his kindness, and we were fast friends. I have always admired his many excellent qualities as a man, the exemplary and useful life he lived, and now the most consoling thought left is that he died having accomplished much, and discharged his full duty while he lived.

Such, in brief, is the life and character of a man worthy the emulation of every young man moved by laudable aspirations. The tribute we this day pay to his memory is the spontaneous sentiment of all classes and conditions of men in the State he served so faithfully and loved so well. He was efficient in the discharge of duty and faithful to every trust. More than this cannot well be said of man.

May we all profit by a study of the life he lived, so that when ours is brought to a close, it may be said that we have accomplished some good deeds for the welfare of mankind and have not lived in vain.

Let the life of the departed serve to inspire our best efforts for the discharge of all those high and responsible duties we owe to God, our country, our neighbors, and ourselves.

SENATOR N. V. BROWER,

of the Forty-third District, spoke as follows:

MR. PRESIDENT—I regret that I am not prepared to lay a choicer offering upon the altar we have erected here than it is mine to give, upon which to spread our tributes of respect to the memory of a great man who has gone to rest.

It was not my pleasure to know him in the intimate relations of life, as it was the honor and pleasure of the Senator from Union. I did know him by occasional personal contact, but knew him better by his deeds and the story of his achievements for the State he served so well.

Iowa owes much to many of her public men; they have written their names in bright letters on the scroll whereon is kept the story of the achievements of the sisterhood of states. They have made easier a better citizenship, and the path of duty for that citizenship. They have made the name of Iowa a proud one in the record of great achievements of people governing for themselves.

Many of our public men have won high places beyond the State, in national council, and have filled honored places beyond the sea. Not the least among those who have thus honored Iowa, was James W. McDill. He was a plain, blunt man, yet near to the people, and close to them in sympathy and interest; and from the contact thus obtained I believe he gained the inspiration which led him up to the high places which he occupied.

Iowa never lacks for men, whether the call is for the field of battle, or whether they are called to the forum of great debate. In the latter sphere, James W. McDill found his best and greatest opportunity and his greatest usefulness. But to-day we are assembled here to pay tribute to his memory. In the zenith of his manhood, in the plenitude of his intellectual power, he has been called from life to death. Is this all? Does the grave close all? Oh, no. Stands he no longer as a tower of strength for refuge, reliance and for hope? It is not so. He still lives in the hearts and affections of the people; he still lives in the story of his deeds, in the emulation they will awaken in the minds of all—and thus he lives. No prouder monument can be placed over the earth that covers his mortal remains than is erected in the hearts of the people he served so well.

SENATOR WILLIAM GRONEWEG,

of the Nineteenth District, spoke as follows:

MR. PRESIDENT—I desire the attention of the members for a few moments to add a few words to what has already been said in memory of the deceased, James W. McDill. I had the privilege and good fortune to make his acquaintance during the time he was judge of the circuit and district courts, Pottawattamie county at that time being in the same district with Union county. As a judge he stood very high, and he enjoyed the greatest confidence of the lawyers who practiced at the bar and of the people at large.

No judge in our district has within my recollection enjoyed the confidence of

the people in a higher degree. He was a learned and honest judge, and the history of western Iowa would be incomplete without his name. As a man he was rather reticent and hard to get acquainted with, but when once a friend he was always a friend, ready to give assistance and render a favor at any time if within his power to do so. May the name of James W. McDill be always revered by the people of Iowa.

SENATOR T. G. HARPER,

of the Ninth District, spoke as follows:

MR. PRESIDENT—Judge James W. McDill, whose death occurred at his home in Creston, February 28th, was by no means an ordinary man. He was a man of broad, powerful natural abilities of the higher type, and these were trained and perfected by a lifetime of study.

I do not believe that he ever wasted a minute's time. If you met him upon the trains, you would find him in earnest conversation with some of the trainmen. Here he was studying men and their work. The information thus gained would be stored away in his, broad, bright mind to be afterwards used to the highest and best advantage for the State and Nation. The operators of our railroads all knew and loved him.

None of the high positions that his fine abilities won for him, and they were the highest in the gift of the people of our state, changed this common, plain man in the least. His plain, unassuming and lovable manner won a friend for himself whenever he met a man. His history is contemporaneous with the history of the statehood of Iowa. One cannot read of the one without reading of the other. While not a son of Iowa, in the strict sense of that term, it was here he fought faithfully and well the great battles of his life.

All Iowa honored him, and he most splendidly honored Iowa. Beginning life at a period when the great problem of slavery was agitating our land, to those who have enjoyed the judge's acquaintance one does not need to state that against this coarse, brutal wrong he was aligned. The groans of the enslaved men and women and the clanking of their chains was out of accord with his idea of justice and freedom. In his heart and mind his loved country would never be a true home of the brave and the free until this hellish institution was irredeemably destroyed.

When yet a young man his eyes saw these chains fall from off the limbs of 4,000,000 men and women, amidst the thunders of an awful civil war. This dark blot upon our birthright was washed away with the best blood of our land, and freedom was no longer an idle boast. With splendid ability he filled the offices of judge, congressman, United States senator, State and inter-State commerce commissioner. With him duty was a religion, and no duty, however slight, was ever neglected.

But great and useful as was this life it met the common lot, and James W. McDill was dead.

It has been said that mortal's history might be written briefly, thus: "He lived. He died. He was buried." But great indeed would be our loss if this pure life was thus treated. We would know nothing of his struggles nor see any of his triumphs. We could know nothing of his unselfish loyalty to truth and principle, often seeming to cost so much, but so grandly and splendidly returning in other and better ways.

There is a chivalry, Mr. President, that makes men heroes and safely guides

them through all difficulties of common existence. There is a chivalry that makes a man scorn with contempt all fortune not fraught with honest endeavor; but there is a higher, grander chivalry, native to the soul, that downs all partisan spirit and sheds the splendor of God's purest light about them, seeing only the great brotherhood of man. Such was the chivalry of the soul of this great man. And as his lamp of life goes out, thousands and thousands of our citizens will mingle their tearful sympathy with the grief stricken family.

Mr. President, we came into the world weeping while all around were smiling; may we so live, like this pure life, that when we die we may be smiling while all around us are weeping.

"For lo! the days are hastening on,
By prophet bards foretold,
When, with the ever circling years,
Comes 'round the age of Gold,
When peace shall over all the earth
Its ancient splendors fling,
And the whole world give back the song,
Which now the angels sing."

Senator Harsh moved that the resolutions be adopted by a rising vote of the Senate, and the President expressed his great pleasure in being able to announce that the resolutions were unanimously adopted.

Senator Harsh moved that the Senate do now adjourn out of respect to the late Judge J. W. McDill.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday March 21, 1894. }

Senate met pursuant to adjournment at 9 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. James Sawhill, of Pitzer, Iowa.

Senators Rowen and Turner were granted leave of absence until Thursday.

PETITIONS AND MEMORIALS.

Senator Rea presented petition from William Moffett and other policy holders in insurance companies of Grundy Center, Iowa, asking amendments to Senate file No. 28.

Referred to Committee on Ways and Means.

Senator Andrews presented petitions from insurance policy holders of Audubon, Iowa, on same subject.

Same reference.

Senator Rea presented petition from James Miller and seventy-four other citizens of Black Hawk county, asking the passage of Senate file No. 221, a bill for an act to regulate the coloring of imitation butter and cheese.

Referred to Committee on Agriculture.

Senator Conaway presented a petition from the local board of Children's Home Society of Oskaloosa and leading citizens, asking the passage of bill for the establishment of county boards of children's guardians.

Referred to Committee on Public Health.

HOUSE MESSAGES.

House file No. 235, a bill for an act to amend section 1, chapter 18 of the acts of the Twenty-second General Assembly, was read first and second times and referred to Committee on Library.

REPORTS OF COMMITTEES.

Senator Henderson, from the Committee on Senatorial and Representative Districts, submitted the following report:

MR. PRESIDENT—Your Committee on Senatorial and Representative Districts, to whom was referred Senate file No. 346, a bill for an act to fix the number of

Senators in the General Assembly, apportioning them among the several counties according to the number of inhabitants in each, and dividing the State into senatorial districts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

GEO. W. HENDERSON,
Chairman.

On motion of Senator Henderson the report of the committee was concurred in.

Also:

MR. PRESIDENT—Your Committee on Senatorial and Representative Districts, to whom was referred Senate file No. 347, a bill for an act to apportion the State into representative districts and declare the ratio of representation, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

GEO. W. HENDERSON,
Chairman.

Ordered passed on file.

Senator Harmon, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 389, a bill for an act to legalize the acts and ordinances of the incorporated town of Oelwein, Fayette county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 280, a bill for an act to amend section 1 of chapter 40 of the acts of the Twenty-second General Assembly, beg leave to report that they have had the same under consideration and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that the same be amended by adding at the end of section 1 the following words: "and the parties reside within the city limits where such court is established," and that when so amended the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 382, a bill for an act to legalize the ordinances passed by the incorporated town of Bagley, Guthrie county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 495, a bill for an act to amend sections 2650 and 2651 of the Code of Iowa, relating to demurrers, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that the same be substituted for Senate file No. 141, and that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 385, a bill for an act to legalize the ordinances of the incorporated town of Valley Junction, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 384, a bill for an act to legalize the incorporation of the town of Valley Junction, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Senator Ellis, from the Committee on Banks, submitted the following report:

MR. PRESIDENT—Your Committee on Banks, to whom was referred Senate file No. 36, a bill for an act providing a substitute for chapter 6, title 9 of the Code of 1873, for establishing and governing mutual loan and building associations, beg leave to report that they have had the same under consideration and have made the following amendments:

Insert in the first line of section 1 after the word "persons," "residents of Iowa."

Also insert in the third line, second section, after the word "members," "such sums of money in stated amounts for fees dues, fines, and premiums on loans made." In section 6, fourth line, strike out the words "twelve per cent of the monthly receipts," and insert "six per cent." In section 8 strike out all after "premium" in the fourth line, also fifth and sixth lines. Also, in section 10 insert between the words "paid" and "on" in the third line, "into the loan fund." In section 11, strike out the ninth and tenth lines, commencing with the word "Nothing." In section 13, line 4, strike out "executive council of Iowa," and insert "full board of directors." In section 19, second line, insert between the words "have" and "securities" "real estate." Also strike out "one hundred thousand dollars" in the third line of same section, and insert "forty thousand dollars." And have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Banks, to whom was referred Senate file No. 366, a bill for an act to provide for the formation of co-operative building and loan associations, and prescribing conditions for the regulation and management of all such associations doing a national or state business in the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Banks, to whom was referred Senate file No. 5, a bill for an act relating to the assessment of taxes of savings and other banks, and to prohibit such banks from investing their funds or capital in stock, bonds, interest-bearing notes or certificates of the United States, etc., beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Banks, to whom was referred Senate file No. 308, a bill for an act to repeal sub-division number ten (10) of section one thousand five hundred and seventy (1570) of the Code of 1878, relating to the statements of officers of banks and other associations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Banks, to whom was referred Senate file No. 24, a bill for an act to regulate banking in the State of Iowa, and to provide for the establishment and examination of private banks, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Banks, to whom was referred Senate file No. 109, a bill for an act relating to the publication of quarterly statements of banks, beg leave to report that they have had the same under consideration and

have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Banks, to whom was referred Senate file No. 215, a bill for an act to provide for and regulate the administration of trusts and savings banks and trust companies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Banks, to whom was referred Senate file No. 106, a bill for an act to protect maker of notes in certain cases, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

L. A. ELLIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Banks, to whom was referred Senate file No. 103, a bill for an act to amend chapter 6 of title 9 of the Code of 1873, and for establishing and governing mutual savings, loan and building associations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

L. A. ELLIS,
Chairman.

Ordered passed on file.

On motion of Senator Henderson, Senate file No. 347, a bill for an act to apportion the State into representative districts and declare the ratio of apportionment, with report of committee recommending passage, was taken up, considered, and the report of the committee was read and adopted.

Senator Henderson moved that the rule be suspended and the bill be considered engrossed and read a third time now.

Carried.

Senator Henderson moved that the reading just finished be considered the third reading.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Boardman, Brower, Carpenter, Conway, Craig, Downey, Eaton, Ellis, Finn, Funk, Green, Harmon,

Harper, Harsh, Henderson, Hurst, Jamison, Jewett, Kilburn, Lehfeldt, Lewis, Mattoon, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Terry, Upton, Vale, Waterman—36.

The nays were:

None.

Absent or not voting:

Senators Bishop, Chantry, Cheshire, Dent, Everall, Garst, Gorrell, Groneweg, Hipwell, Kelly, Oleson, Rigger, Rowen, Turner, Yeomans—14.

So the bill passed and the title was agreed to.

Senate file No. 180 was taken up and section 33 was read.

Senator Jewett offered the following amendment:

Amend section 30 by inserting the words, "city, town or," before the word, "township," in line one.

Adopted.

Senator Reynolds moved to reconsider the vote by which section sixteen of Senate file No. 180 was amended.

Carried.

Senator Perry moved to amend section sixteen by striking out the words "seven thousand and five hundred" in the first line and insert in lieu thereof the words "five thousand."

Senator Reynolds moved to amend the amendment by inserting the words "six thousand" instead of "five thousand."

Upon this yeas and nays were demanded.

On the question, "Shall the amendment to the amendment be adopted?" the yeas were:

Senators Andrews, Boardman, Chantry, Cheshire, Conaway, Craig, Downey, Finn, Funk, Gorrell, Harmon, Harsh, Henderson, Jamison, Jewett, Lewis, Mattoon, Palmer, Penrose, Rea, Reynolds, Rigger, Upton, Vale—24.

The nays were:

Senators Baldwin, Bishop, Brower, Dent, Ellis, Garst, Groneweg, Harper, Hipwell, Hurst, Kelly, Oleson, Perrin, Perry, Phelps, Waterman—16.

Absent or not voting:

Senators Carpenter, Eaton, Everall, Green, Kilburn, Lehfeldt, Rowen, Terry, Turner, Yeomans—10.

So the amendment to the amendment was adopted.

Senator Groneweg offered the following amendment:

Amend section 14 by striking out all after the word "act," in line 5 of said section.

Ruled out of order.

Senator Conaway offered the following amendment:

Strike out of the first and third lines of section 8 the words "clerk of district court," and insert in lieu thereof the words "county auditor."

Adopted.

Senator Penrose moved to amend section 29, line six, by striking out the word "one-tenth," and inserting in lieu thereof the words, "one-fourth."

Carried.

Senator Conaway moved that the bill be engrossed and read a third time to-morrow.

Carried.

Senator Lewis asked to have 300 extra copies printed of House file No. 37 as amended and passed the House.

So ordered.

Senate file No. 59, a bill for an act to provide for the furnishing of text-books for the pupils of public schools of the State of Iowa, with report of committee recommending amendments, and when so amended that same do pass, was taken up, considered, and the report of the committee adopted.

Senator Kilburn moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Boardman, Cheshire, Conaway, Craig, Eaton, Everall, Funk, Garst, Gorrell, Harper, Harsh, Henderson, Jamison, Kilburn, Lehfelddt, Lewis, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Vale, Waterman—28.

The nays were:

Senators Bishop, Brower, Carpenter, Chantry, Dent, Downey, Ellis, Finn, Green, Groneweg, Kelly, Upton, Yeomans—13.

Absent or not voting:

Senator Harmon, Hipwell, Hurst, Jewett, Mattoon, Oleson, Rowen, Terry, Turner—9.

So the bill passed and the title was agreed to.

Senator Finn moved to reconsider the vote by which Senate file No. 59 passed the Senate.

Ruled out of order.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 388, a bill for an act to amend section 1800 of the Code of Iowa, as amended by chapter 139 of the laws of the Eighteenth General Assembly.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 91, a bill for an act providing for a general levy for State purposes.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 155, a bill for an act to make further provisions for the care of insane persons.

I. K. WILSON,
Chief Clerk.

Senator Dent in the chair.

Senate file No. 138, a bill for an act to reimburse John L. Brown, as Auditor of State during the years 1885 and 1886, for money expended in defense of his said office and of his official rights and duties, with report of committee recommending amendments and when so amended that the same do pass, was taken up, considered, and the report of the committee adopted.

President Dungan in the chair.

Senator Lewis moved that the rule be suspended, and the bill be considered engrossed and read a third time to-morrow.

Upon this the yeas and nays were demanded.

On the question, "Shall the rule be suspended?" the yeas were:

Senators Andrews, Baldwin, Boardman, Chantry, Cheshire, Conway, Craig, Eaton, Gorrell, Harmon, Harper, Harsh, Henderson, Kilburn, Lehfeldt, Palmer, Penrose, Perrin, Phelps, Reynolds, Upton, Vale—21.

The nays were:

Senators Bishop, Carpenter, Dent, Downey, Ellis, Everall, Funk, Jamison, Jewett, Kelly, Oleson, Perry, Terry, Waterman, Yeomans—15.

Absent or not voting:

Senators Brower, Finn, Garst, Green, Groneweg, Harmon, Hipwell, Hurst, Lewis, Mattoon, Rea, Rigger, Rowen, Turner—14.

Senator Lewis was excused from voting.

By Senator Kilburn, Senate file 395, a bill for an act to permit, regulate and control the sale of spirituous, malt, vinous and fermented liquors by county agents and to provide for the better enforcement of existing laws.

Read first and second times and referred to Committee on Suppression of Intemperance.

On motion of Senator Baldwin House file No. 5, a bill for an act to create the Nineteenth judicial district, was taken up for consideration.

Senator Baldwin moved that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass," the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Finn, Funk, Garst, Gorrell, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfeldt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Terry, Vale, Yeomans—43.

The nays were:

Senator Everall—1.

Absent or not voting:

Senators Green, Rikken, Rowen, Turner, Upton, Waterman—6.

So the bill passed and the title was agreed to.

Senator Dent moved that House messages be taken up for consideration.

Carried.

HOUSE MESSAGES.

House file No. 338, a bill for an act to amend section 1000 of the Code of Iowa as amended by chapter 139 of the laws of the Eighteenth General Assembly of the State of Iowa, was read first and second times and referred to Committee on Schools.

Senator Carpenter asked leave to file a motion to reconsider the vote by which Senate file No. 222 passed the Senate.

Senator Harper moved to lay the motion to reconsider on the table.

Ruled out of order.

Senator Rea moved that the Senate do now adjourn.

Carried.

The Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2:00 p. m., President Dungan presiding.

Senator Harmon moved to take up House messages, for the purpose of concurring in amendments to Senate file No. 143.

Carried.

Senator Harmon moved that the Senate concur in the House amendments to Senate file No. 143.

On the question, "Shall the Senate concur in House amendments to Senate file No. 143?" the yeas were:

Senators Andrews, Bishop, Boardman, Brower, Carpenter, Chantry,

Conaway, Craig, Dent, Downey, Eaton, Ellis, Finn, Funk, Garst, Gorrell, Groneweg, Harmon, Harper, Henderson, Hipwell, Hurst, Jamison, Lehfelddt, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Terry, Upton, Vale, Waterman, Yeomans—37.

The nays were:

None.

Absent or not voting:

Senators Baldwin, Cheshire, Everall, Green, Harsh, Jewett, Kelly, Kilburn, Mattoon, Reynolds, Rigger, Rowen, Turner—13.

So the motion to concur prevailed.

Senator Harper moved to reconsider the vote by which Senate file No. 222 passed the Senate.

Carried.

Senator Kelly moved that the secretary be instructed to notify the House of the Senate's desire to recall Senate file No. 222.

Carried.

Senator Henderson asked leave to file a motion to recall Senate file No. 347 from the House.

Leave granted and motion filed.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 537, a bill for an act to tax the traffic in intoxicating liquors and to regulate and control the same.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 324, a bill for an act to prevent oppressive garnishment and the transferring of claims for the purpose of depriving debtors of their exemption rights.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the Senate amendments to the following bill, in which the concurrence of the House was asked:

House file No. 79, a bill for an act to amend section 3, chapter 100, acts of the Sixteenth General Assembly, so as to give graders a lien on land or lots graded.

I. K. WILSON,
Chief Clerk.

Senator Henderson asked leave to file a motion to reconsider the vote by which Senate file No. 347 passed the Senate.

Leave granted and motion filed.

Senator Funk moved to take up House messages.

Carried.

HOUSE MESSAGES.

House file No. 537, a bill for an act to tax the traffic in intoxicating liquors and to regulate and control the same, was read a first and second time and referred to the Committee on Suppression of Intemperance.

Senator Funk moved that 500 extra copies of House file No. 537 be printed.

Carried.

House file No. 324, a bill for an act to prevent oppressive garnishments and the transferring of claims for the purpose of depriving debtors of their exemption rights, was read a first and second time.

Senator Perry moved the bill be passed on calendar.

Carried.

Senate file No. 148, a bill for an act authorizing railway corporations to mortgage their property for certain purposes, with report of committee recommending passage, was taken up, considered, and the report of the committee was read.

Senator Kelly offered the following amendment:

SEC 2. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State *Register* and Des Moines *Leader*, newspapers published at Des Moines, Iowa, without expense to the State.

Adopted.

Senator Baldwin moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Boardman, Brower, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Ellis, Everall, Garst, Gorrell, Green, Groneweg, Harmon, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Lehfelddt, Oleson, Palmer, Penrose, Perrin, Perry, Rea, Reynolds, Rikken, Terry, Upton, Vale, Waterman, Yeomans—38.

The nays were:

None.

Absent or not voting:

Senators Bishop, Carpenter, Eaton, Finn, Funk, Harper, Kilburn, Lewis, Mattoon, Phelps, Rowen, Turner—12.

So the bill passed and the title was agreed to.

On motion of Senator Conaway Senate file No. 337, a bill for an act to amend chapter 104 of the acts of the Twenty-first General Assembly, in relation to medicine and surgery, with report of committee

recommending passage, was taken up, considered, and the report of committee was read.

Senator Conaway offered the following amendment:

Amend section 1 by inserting after the word "State" in line fifteen, the following: "*Provided*, that nothing herein contained shall be so construed as to permit a physician to establish or conduct a drug store or pharmacy, except in conformity with the laws governing registered pharmacists."

Adopted.

Senator Oleson offered the following amendment:

Amend section 1 by striking out the last five words in line two, all of line three and the first word of line four; also by striking out all after the word "obstetrics" in line thirteen, all of line fourteen and up to "in this State" in line fifteen.

Lost.

Senator Oleson offered the following amendment:

Amend section one by adding after the thirty-fourth line the following: "*Provided*, That nothing in this act shall prevent registered pharmacists from practicing medicine."

Lost.

Senator Kilburn offered the following amendment to section 3, and moved its adoption:

Insert after the first word in fourth line of section 1 the words "except intoxicating liquors"; also insert the same words in 14th line, after the word "medicine."

Adopted.

Senator Conaway moved the rules be suspended, the bill be considered engrossed and read a third time now.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Boardman, Carpenter, Chantry, Cheshire, Ellis, Finn, Gorrell, Harmon, Harper, Henderson, Jamison, Jewett, Kilburn, Lehfelddt, Palmer, Perrin, Phelps, Reynolds, Upton, Vale—22.

The nays were:

Senators Bishop, Brower, Conaway, Dent, Downey, Everall, Garst, Green, Groneweg, Harsh, Hurst, Lewis, Mattoon, Oleson, Rikken. Yeomans—16.

Absent or not voting:

Senators Craig, Eaton, Funk, Hipwell, Kelly, Penrose, Perry, Rea, Rowen, Terry, Turner, Waterman—12.

So the bill, having failed to receive a constitutional majority, was declared lost.

Senator Waterman, from the Committee on Cities and Towns, submitted the following report:

MR PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 373, a bill for an act to amend chapter 7 of the acts of the Twentieth General Assembly, relating to the appointment of city marshals, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. L. WATERMAN,

Chairman.

Ordered passed on file.

Senator Conaway asked leave to file a motion to reconsider the vote by which Senate file No. 337 failed of passage.

Leave granted and motion filed.

Senator Ellis asked to have three hundred extra copies of Senate file No. 36 printed.

It was so ordered.

Senator Jamison moved that the Senate do now adjourn.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, March 22, 1894. }

Senate met in regular session at 9 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. John Newman, D. D., of Des Moines.

PETITIONS AND MEMORIALS.

Senator Rowen presented a petition from two hundred and two voters of Henry county, also a petition from citizens of Renwick Humboldt county, asking passage of bill to raise age of consent for girls to eighteen years.

Referred to Committee on Public Health.

Senator Upton presented petition of Mother Benedict asking for an appropriation for the Benedict Home of Decorah, Iowa.

Referred to Committee on Appropriations.

Senator Rea presented a petition from Paul C. Aiken, a policy holder in insurance companies of Grundy Center, Iowa, asking amendments to Senate file No. 28.

Referred to Committee on Ways and Means.

Senator Rowen presented petitions from insurance policy holders of Eagle Grove and Williams, Iowa, on same subject.

Same reference.

Senator Reynolds presented a petition from A. W. Hoffmann, an insurance policy holder, of Moulton, Iowa, on same subject.

Same reference.

Senator Yeomans presented a petition from insurance policy holders of Sioux City, Iowa, on same subject.

Same reference.

Senator Ellis presented petitions from insurance policy holders of Clinton, Iowa, on same subject.

Same reference.

Senator Harper presented petition from insurance policy holders of Burlington, Iowa, on same subject.

Same reference.

Senator Groneweg presented petition from John A. Wolf, of Taylor, Pottawattamie county, on same subject.

Same reference.

Senator Andrews presented petitions from citizens of Dexter, Stuart, Woodward and Guthrie Center, asking the passage of Senate file No. 103 and House file No. 187, relative to building and loan associations.

Referred to Committee on Banks and Banking.

Senator Chantry presented a petition from citizens of Henderson, Mills county, on same subject.

Same reference.

Senator Ellis presented petition from citizens of Lyons, Iowa, on same subject.

Same reference.

Senator Oleson presented petitions from citizens of Fort Dodge, Lake City and Callender on same subject.

Same reference.

Senator Perry presented petitions from citizens of Albia and Foster, Monroe county, on same subject.

Same reference.

Senator Green presented petitions from citizens of Anamosa and Monticello on same subject.

Same reference.

Senator Groneweg presented petitions from citizens of Council Bluffs on same subject.

Same reference.

INTRODUCTION OF BILLS.

By Senator Perry, by request, Senate file No. 396, a bill for an act entitled an act to require telephone companies to maintain instruments at certain points along their lines.

Read first and second times and referred to Committee on Corporations.

By Senator Penrose, Senate file No. 397, a bill for an act to legalize the proceedings of the Mound Cemetery Association of St. Clair Township, Benton, county, Iowa.

Read first and second times and referred to Committee on Judiciary.

Senator Groneweg moved that his resolution, No. 2 on calendar, be adopted.

Resolved, That no bill which has been placed upon the calendar shall be taken up out of its regular order unless so ordered by a two-thirds vote of the Senate or reported to the Senate by a sifting committee.

Senator Lewis moved that the motion be laid upon the table.

Upon this the yeas and nays were demanded.

On the question, "Shall the resolution be laid upon the table?" the yeas were:

Senators Andrews, Boardman, Carpenter, Chantry, Cheshire, Conway, Craig, Eaton, Ellis, Gorrell, Harmon, Harper, Harsh, Henderson, Jamison, Jewett, Kilburn, Lehfelddt, Lewis, Mattoon, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Rowen, Turner, Vale, Waterman—31.

The nays were:

Senators Baldwin, Bishop, Downey, Everall, Funk, Garst, Green, Groneweg, Hurst, Kelly, Yeomans—11.

Absent or not voting:

Senators Brower, Dent, Finn, Hipwell, Oleson, Perry, Terry, Upton—8.

So the motion prevailed.

REPORTS OF COMMITTEES.

Senator Harmon, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 874, a bill for an act to legalize the election held in town of Riverside county of Washington, and State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that section 2 be amended by adding thereto the words "without expense to the State," and that when so amended it do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 892, a bill for an act to legalize the acts of Zion's church of the Evangelical Association in Charles City, Iowa, and its board of trustees, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Senator Funk, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred House file No. 537, a bill for an act to tax the traffic in intoxicating liquors, and to regulate and control the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

A. B. FUNK,
Chairman.

Ordered passed on file.

Senator Groneweg asked leave to file a minority report on House file No. 537.

Leave granted.

Senator Kelly from Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate file No 180, a bill for an act to amend chapter one hundred and fifty-one, acts of the Eighteenth General Assembly, relating to the State Board of Health, and find the same correctly engrossed.

M. J. KELLY,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate file No. 138, a bill for an act to reimburse John L. Brown, as Auditor of State, during the years 1885 and 1886, for money expended in defense of his said office, and of his official rights and duties, and find the same correctly engrossed.

M. J. KELLY,
Chairman.

Senator Rowen, from the Committee on Penitentiaries and Pardons, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiaries and Pardons, to whom was referred Senate file No. 323, a bill for an act to create a board of parole and inspection for the penitentiaries of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. E. ROWEN,
Chairman.

Ordered passed on file.

Senator Craig, from the Committee on Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred Senate file No. 147, a bill for an act to amend chapter 1, title 9, of the Code of Iowa, and to more particularly define the manner of creating corporations for pecuniary profit, and to fix the liability of the stockholders, and to fix the compensation to be paid the State for such franchises, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that all after the word "State" in section 7 be stricken out and insert in lieu thereof, "a franchise tax of one-quarter of one per centum upon the amount of capital stock which said corporation is said to have, and a like amount upon any subsequent increase of its capital stock;" that after being so amended that it do pass.

G. M. CRAIG,
Chairman.

Ordered passed on file.

Senator Perry, from the Committee on Public Lands, submitted the following report:

MR. PRESIDENT—Your Committee on Public Lands, to whom was referred Senate file No. 352, a bill for an act to indemnify Ellen Nesten for the loss of certain lands for which she holds title from the State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Claims.

T. B. PERRY,
Chairman.

So referred.

Senator Carpenter, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House file No. 146, a bill for an act to amend chapter 20 of the acts of the Twenty-fourth General Assembly, in relation to the terms of office of sub-directors of schools, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

C. A. CARPENTER,
Chairman.

Ordered passed on file.

Senator Brower, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 303, a bill for an act to repeal chapter eighteen of the acts of the Twenty-fourth General Assembly, relating to taxes in aid of railroads and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

N. V. BROWER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 371, a bill for an act authorizing railway corporations now existing or hereafter created, including consolidated corporations, to provide by by-laws or otherwise for conferring on bondholders the right to vote at corporate elections, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

N. V. BROWER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 316, a bill for an act relating to certain contracts for the conditional sale.

lease, or hire of railroad or street railway equipments and rolling stock, and providing for the recording thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

N. V. BROWER,
Chairman.

Ordered passed on file.

House file No. 34, a bill for an act to indemnify officers serving execution, and to amend chapter 45 of the Twentieth General Assembly. Committee on Judiciary, with report of committee recommending a substitute, and that same do pass, was taken up, considered, and the report of the committee was read.

Senator Harmon moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Gorrell, Harmon, Harper, Harsh, Henderson, Jamison, Jewett, Kilburn, Lehfeldt, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Rea, Rigger, Rowen, Terry, Turner, Upton, Waterman, Yeomans—40.

The nays were:

None.

Absent or not voting:

Senators Baldwin, Green, Groneweg, Hipwell, Hurst, Kelly, Mattoon, Phelps, Reynolds, Vale—10.

So the bill passed and the title was agreed to.

The hour for the special order, being the motion to reconsider the vote by which Senate file, No. 324 failed of passage, having arrived, the motion was taken up for consideration.

The question being, "Shall the motion to reconsider the vote by which Senate file No. 324 failed of passage prevail?"

Upon this the yeas and nays were demanded.

On the question, "Shall the motion to reconsider the vote by which Senate file No. 324 failed of passage prevail?" the yeas were:

Senators Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Ellis, Funk, Garst, Harmon, Harsh, Henderson, Jamison, Kilburn, Lehfeldt, Lewis, Palmer, Penrose, Perrin, Rea, Reynolds, Rigger, Rowen, Turner, Upton, Vale, Waterman—28.

The nays were:

Senators Andrews, Baldwin, Bishop, Dent, Downey, Eaton, Everall, Finn, Gorrell, Green, Groneweg, Hipwell, Hurst, Kelly, Mattoon, Oleson, Perry, Phelps, Terry, Yeomans—20.

Absent or not voting:

Senators Harper, Jewett—2.

So the motion to reconsider prevailed.

Senator Funk moved to reconsider the vote by which Senate file No. 324 was passed to engrossment.

Carried.

Senator Funk moved that House file No. 537 be substituted for Senate file No. 324.

Carried.

Senator Kelly offered the following substitute for House file No. 537.

Strike out all after the enacting clause and insert the following:

SECTION 1. That upon the presentation of a petition, signed by one-fifth in number of the qualified electors whose names appear on the poll books of the last general election of any city or incorporated town, or city organized under special charter within this State, to the city or town council of said city or incorporated town, or city organized under special charter requesting said city or town council to submit to the legal voters of the city or town so petitioning, the question whether or not spirituous, malt and vinous liquors may be sold or manufactured and sold therein under the rules, regulations and restrictions of this act, if the said city or town council is satisfied that the signers of such petition are bona fide residents and legal voters of the city or town named in said petition, it shall be the duty of said city or town council to order a special election in the city or town so petitioning, at which election the question shall be submitted whether or not a license for the sale or manufacture and sale of spirituous, malt and vinous liquors may be granted.

SEC. 2. That upon the presentation of a petition, signed by one-fifth in number of the qualified electors residing in the territory outside of all the cities and incorporated towns in any county within the State, whose names appear upon the poll books of the last general election, to the board of supervisors of such county, requesting such board of supervisors to submit to the legal voters of the territory of such county outside of all cities and incorporated towns therein, the question whether or not spirituous, malt and vinous liquors may be sold and manufactured therein, under the rules, restrictions and regulations of this act, if the board of supervisors are satisfied that the signers of such petition are bona fide residents and legal voters of the territory outside of all cities and incorporated towns in such county, named in such petition, it shall be the duty of such board of supervisors to order a special election in the territory outside of all cities and incorporated towns in such county, at which election the question shall be submitted whether or not a license for the sale or manufacture and sale of spirituous, malt and vinous liquors may be granted.

SEC. 3. The ballots for such election shall submit the question to be voted upon in the manner required by law, and no other question shall be voted upon at the same election.

SEC. 4. All elections under the provisions of this act shall be held at the same places and conducted in the same manner as is prescribed by law for general elections in this State, and all persons entitled to vote at such general election shall be entitled to vote at all elections provided for in this act.

SEC. 5. Such elections shall not be held oftener than once in two years, and not then unless petitioned for as provided in this act.

SEC. 6. Notice of such election shall be given by publication for two consecutive weeks in such newspapers published in such city, town or county as the board of supervisors or council thereof may direct; the last publication to be at least ten days prior to the said election.

SEC. 7. The votes at such election in any city or incorporated town shall be canvassed by the council thereof; and the votes in the territory outside of all cities and incorporated towns shall be canvassed by the board of supervisors of the county upon the certified returns of the several wards or precincts voting upon such question. All such canvassing boards shall certify the result of such elections to the clerk of the district court of their respective counties and all expenses of notice and election shall be paid by the municipality or county wherein such election is held.

SEC. 8. In case a majority of all the votes cast at any such election shall be in favor of license, the district court in and for said county, shall grant a license for the sale or manufacture and sale at wholesale in quantities of not less than four gallons of spirituous, malt or vinous liquors, upon the petition of ten of the resident freeholders of the ward, incorporated town or municipality where such spirituous, malt and vinous liquors are proposed to be sold, or manufactured and sold, setting forth that the applicant is of respectable character, good standing, a resident of this State, and praying that a license for the sale and manufacture and sale of spirituous, malt and vinous liquors may be issued to him, which petition shall be filed in the office of the clerk of the district court at least ten days prior to the date of hearing thereon.

SEC. 9. Notice of application for license, stating the name of the applicant, the place where the liquors are proposed to be sold or manufactured and sold, describing the land or lot and the date of the hearing upon such application, shall be given by publication for two consecutive weeks in such weekly newspaper of the county as the clerk of the district court shall direct, the last publication of such notice to be at least ten days prior to the date fixed for hearing on such petition.

SEC. 10. Any person may file a remonstrance against the granting of a license which remonstrance shall be in writing and filed at least five days before the date of hearing; such remonstrance may be based on any of the following grounds: A violation of any of the provisions of this act within one year preceding, that the applicant is not of respectable character, or that such applicant is not a resident of this State. The proceedings upon the hearing before the court shall be governed by the same rules as are prescribed in ordinary actions, and shall be tried as speedily as possible. If no remonstrance be filed, or if upon the hearing the allegations of the remonstrance are not established, it shall be the duty of the court to order the license to be granted.

SEC. 11. The fee for license for the sale or manufacture and sale of spirituous, malt and vinous liquors shall be not less than five hundred dollars per annum and such further or additional sum as shall be determined by the municipality in which the business is to be conducted; *provided*, that the total license fee shall in no case exceed the sum of one thousand dollars. In cities and towns the additional amount of such license fee shall be fixed by the city or town council, and in the territory of the county outside of all cities and incorporated towns, by the board of supervisors. The said city or town council or board of supervisors shall certify to the treasurer of the county the additional amount of license fee fixed by either. The whole of the license fee shall be paid into the county treasury, and where the business is to be conducted within the limits of an incorporated city or town, all

except the sum of two hundred dollars shall be paid by the county treasurer to the treasurer of such city or town. Such license fee may be paid at the option of the licensee, in quarterly installments, payable in advance at the beginning of each quarter, and when paid the same shall be distributed as above provided. All of the license fees not paid out to the city or town treasurers shall go into the general county fund.

SEC. 12. No person shall be licensed to sell or manufacture and sell spirituous malt or vinous liquors unless he shall first give a bond in the penal sum of \$2,000 payable to the county in which application is made for such license, with at least two good and sufficient sureties, freeholders of the county in which such license is to be granted, to be approved by the clerk of the district court, conditioned that he will not violate any of the provisions of this act and that he will pay the full amount of the license fee for each quarter of the year after the date of issuing the license in the manner and at the times herein provided, and will pay all fines, penalties, damages and forfeitures under the provisions of this act.

The clerk of the district court taking such bonds shall examine each person offered as surety upon such bond under oath, and require him to subscribe and swear to his statement in regard to his pecuniary ability to become such surety. No person who is holden as the principal or surety upon one bond given in pursuance of this act shall become the surety upon any other bond of like character. And any person injured by the violation of any provisions of this act may bring suit upon the said bond and recover therefor.

SEC. 13. All licenses issued in pursuance of this act shall be issued by the clerk of the district court, and no license shall be issued until the receipt of the county treasurer for the full amount of the license fee for the first quarter of the period for which the license is granted is filed with such clerk. The license shall state the length of time for which it is issued, which shall not extend beyond the last day of December after its issue; the place where the liquor is to be sold or manufactured and sold, describing the lot or land, and shall not be transferable to any other person. If any licensed person shall fail to pay the quarterly installments of his license fee on or before the first day of each quarter shall, immediately upon such failure, become void. Any license or permit granted under this act shall be revoked by the court granting the same upon satisfactory proof that the person holding such permit has been convicted of a second violation of the provisions of this act.

SEC. 14. Any person licensed under this act who shall knowingly sell or give away any spirituous, malt or vinous liquors to any minor, intoxicated person, habitual drunkard or insane or idiotic person shall be punished by a fine not exceeding one hundred dollars or imprisonment in the county jail not exceeding thirty days, or by both such fine and imprisonment, in the discretion of the court.

SEC. 15. Any minor who shall for the purpose of obtaining liquors from any licensed person falsely represent his age, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine for each and every offense not exceeding one hundred dollars or by imprisonment in the county jail not exceeding thirty days, or both, at the discretion of the court.

SEC. 16. The common council of each city, trustees of each incorporated town and board of supervisors of each county in which licenses are granted, under the provisions of this act shall have power within their respective municipalities to establish and provide for the enforcement in courts of competent jurisdiction therein, by proceedings applicable to the punishment of misdemeanors, such rules, regulations and ordinances as to them shall seem proper in relation to the closing

of places where intoxicating liquors are authorized to be sold as a beverage during certain hours of the day and during all hours of the Sabbath day, and in relation to limits within which such liquors shall not be authorized to be sold, except that the regulations made by the board of supervisors shall apply to such territory only as is outside of incorporated cities and towns, and the willful violation of any of said rules, regulations or ordinances, etc., shall, if found by the court granting such license, cause the immediate revocation thereof, and it shall be the duty of such court to enquire into and determine all such complaints upon such notice to the accused party as it may prescribe, and tax the costs thereof to the losing party or to the county, in its discretion.

SEC. 17. The district court, under the regulations and restrictions contained in this act, may grant permits to registered pharmacists to sell spirituous, malt and vinous liquors for medicinal, mechanical and chemical purposes exclusively, upon payment of all expense and cost relating to the issuance of such permit, and upon the compliance with all the provisions contained in this act, except that no license fee or bond shall be required, and such registered pharmacists shall be subject to all other requirements and penalties contained in this act.

SEC. 18. Any registered pharmacist to whom a permit may be granted, as contemplated in the preceding sections of this act, shall keep a book provided by him for that purpose, and shall register in such book all liquors sold or given away by him, which register shall show the date, kind, quality, for what purpose, and to whom such liquors were sold or given, and shall be at all times open to the inspection of the public. Each pharmacist to whom such permit may granted, shall, on the first Monday of January and July of each year, file in the office of the clerk of the District court a report containing a copy of all entries made in said register, as contemplated in this section, since his last report. Each report shall be subscribed and sworn to as correct by said pharmacist, and shall state that he has not sold or given away, either by himself, clerk or agent, any spirituous, malt or vinous liquors other than as stated in said report. Any registered pharmacist failing to comply with the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof for each and every offense shall be punished by a fine of not less than ten dollars nor more than \$100, or by imprisonment not longer than thirty days in the county jail, at the discretion of the court, and his permit upon second conviction shall thereupon be revoked by the court.

SEC. 19. The district court, under the regulations and restrictions contained in this act, may grant permits to manufacturers to manufacture spirituous, vinous and malt liquors, and sell the product of their own manufacture at wholesale in quantities of not less than four gallons, upon the payment of all expense and cost relating to the issuance of such permit and upon compliance with all the provisions contained in this act, except that no license fee shall be required and such manufacturers shall be subject to all other requirements and penalties contained in this act.

SEC. 20. Nothing in this act shall be construed to prevent persons from selling wine made from grapes or other fruits grown or raised by them upon land owned or occupied by them in this State, in quantities of not less than one gallon, without procuring a license for such sale; *provided* that no wine shall be sold to be drunk upon the premises.

SEC. 21. All acts or parts of acts of the laws of the State of Iowa in conflict herewith are hereby repealed, but nothing in this act contained shall be construed to affect any of the statutes of this State against the keeping of nuisances, nor any

of the civil or criminal remedies now provided by law for the abatement of such nuisances, nor the punishment of those keeping the same in all cases where persons are engaged in the sale or manufacture and sale of intoxicating liquors without a license or permit, as provided by this act.

SEC. 22. This act being deemed of immediate importance shall take effect and be in force from and after the publication in the *Des Moines Leader* and the *Iowa State Register*, newspapers published at Des Moines, Iowa.

Senator Funk moved the previous question.

Upon this the yeas and nays were demanded.

On the question "Shall the main question be now put?" the yeas were:

Senators Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Eaton, Ellis, Funk, Garst, Gorrell, Harmon, Harsh, Henderson, Jamison, Jewett, Lehfelddt, Lewis, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Rowen, Turner, Upton, Vale, Waterman—31.

The nays were:

Senators Baldwin, Bishop, Dent, Downey, Everall, Finn, Green, Groneweg, Harper, Hipwell, Hurst, Kelly, Kilburn, Mattoon, Oleson, Perry, Terry, Yeomans—18.

Absent or not voting:

Senator Andrews—1.

So the previous question was ordered.

The question being upon the adoption of the substitute offered by Senator Kelly.

Upon this the yeas and nays were demanded.

On the question, "Shall the substitute be adopted?" the yeas were:

Senators Baldwin, Bishop, Dent, Downey, Everall, Green, Groneweg, Harper, Hipwell, Hurst, Kelly, Mattoon, Oleson, Perry, Terry, Yeomans—16.

The nays were:

Senators Andrews, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Eaton, Ellis, Finn, Funk, Garst, Gorrell, Harmon, Harsh, Henderson, Jamison, Jewett, Kilburn, Lehfelddt, Lewis, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Rowen, Turner, Upton, Vale, Waterman—34.

Absent or not voting:

None.

So the substitute was lost.

The question being on the passage of House file No. 537.

On the question, "Shall the bill pass?" the yeas were:

Senators Boardman, Brower, Carpenter, Cheshire, Conaway, Craig, Ellis, Funk, Garst, Harmon, Harsh, Henderson, Jamison, Kilburn,

Lehfeldt, Lewis, Palmer, Penrose, Rea, Reynolds, Rigger, Rowen, Turner, Upton, Vale, Waterman—26.

The nays were:

Senators Andrews, Baldwin, Bishop, Chantry, Dent, Downey, Eaton, Everall, Finn, Gorrell, Green, Groneweg, Harper, Hipwell, Hurst, Jewett, Kelly, Mattoon, Oleson, Perrin, Perry, Phelps, Terry, Yeomans—24.

Absent or not voting:

None.

So the bill passed and the title was agreed to.

Senator Brower offered the following explanation of his vote:

MR. PRESIDENT—This bill does not meet with my full accord. It has provisions that are distasteful to my convictions of that which is best, but to which I yield in the face of the great need that is everywhere manifest of better regulation and control of the liquor traffic than now exists, and which the supporters of this bill believe will result if it becomes a law. It is better than an unfulfilled pledge to the people.

N. V. BROWER.

Senator Cheshire offered the following explanation of his vote:

MR. PRESIDENT—Since my vote was cast upon Senate file No. 324, a Republican city convention has been held in the city of Des Moines. This convention adopted almost unanimously the following preamble and resolution:

WHEREAS, The last Republican State convention of Iowa adopted as one of the planks of its platform a resolution in favor of maintaining the present prohibition law in those portions of the State where it is now or can be made efficient, and giving to other localities such methods of controlling and regulating the liquor traffic as will best serve the cause of temperance and morality, therefore,

Resolved, That we, the Republicans of Des Moines in convention assembled, urge upon the members of the Legislature from Polk county to actively support any measure that will honestly carry out the pledge of the party as above recited.

This convention was one of the largest ever held in the city, there being in attendance 135 delegates, representing every element in the republican party. At the election last fall the city of Des Moines cast a little over 5,600 republican votes and there were cast in Polk county, outside of the city of Des Moines, a little over 2,000 republican votes. From these figures it will be seen that the convention that adopted the above resolution represented nearly three-fourths of the republican voters of Polk county. Leading republicans in various sections of the county, outside of the city of Des Moines, who have for years been recognized leaders of the prohibition element of the party, have appealed to me to disregard the republican county platform, in view of the declarations in the State platform, and the agreement to pass a resolution for resubmission. Believing that the thirteenth plank of the republican state platform should be carried out in good faith, and that I am now released from further withholding my vote from a measure with that purpose in view, I vote "aye."

THOS. A. CHESHIRE.

Senator Conaway offered the following explanation of his vote:

MR. PRESIDENT—In explaining my vote, I desire to say that I am a prohibitionist from principle. It is repulsive to me to be compelled to vote for this bill with the provision permitting the drug stores to continue to deluge the communities with whiskey free of charge, while other saloon keepers are compelled to pay a license for doing the same thing. But my constituents have demanded by petitions to me, personally, that I render to them a duty which they have a right to demand of me. I therefore yield to their behests, and with them shall rest the responsibility. I vote "yea."

A. B. CONAWAY.

Senator Chantry offered the following explanation of his vote:

MR. PRESIDENT—I am constrained to vote against this measure from a sense of fidelity to what I know to be the prevailing sentiment of my district; also believing any law which levies a tax and is not of uniform operation throughout the State is of doubtful constitutionality; and viewing the matter from the standpoint of the thirteenth plank of last Republican platform, I am unable to believe that this measure is of a character that will so control and regulate the liquor traffic as will best serve the cause of temperance and morality.

A. J. CHANTRY.

Senator Finn offered the following explanation of his vote:

MR. PRESIDENT—I vote no on the pending measure, and present the following reasons for dissent:

The bill, in my judgment, is in violation of the promise made in the platform of my party, which was that the present law should be maintained in certain localities named, and other methods of controlling the liquor traffic in the interest of temperance and morality, be given to other parts of the State only. The bill undertakes to change the law generally throughout the entire commonwealth and to all localities alike, and such a law will not "best serve the cause of temperance morality anywhere."

I believe inebriety to be a disease of the most pitiable and unfortunate character—one that the State should be protected against as much as small pox or any deadly contagion. The tendency of the saloon is to its spread, and every concession made to the saloon keeper, is in its furtherance. To grant him license is to empower and aid him to enlarge the number of his victims.

The character of this bill stands to the democratic bill (against which I voted) as varioloid does to small pox; the only difference being as to virulency of form. I believe the State should be quarantined as far as possible against every such ailment.

The tendency of the bill is to recognize the legal existence of the saloon, in direct opposition to the established and declared doctrine of the party, to which I belong, for the last twelve years. In my judgment, drunkenness, gambling and prostitution are evils alike to be deplored, and the proposition to establish or license places for the furtherance or carrying on of either is unworthy a patriotic citizenship. The proposal to make the public share the proceeds of such evils by a tax or license fee exacted, only makes the thought more objectionable and abhorrent. If they exist, it should not be by sanction of law, and all three should be outlaws alike.

G. L. FINN.

Senator Perry offered the following explanation to his vote:

MR. PRESIDENT—As the majority of the Senate, by moving the previous question, has deprived the minority of the right of being heard in opposition to the bill, I desire to avail myself of the privilege of explaining my vote against it. I do not believe it is the intention of the friends of this measure to give any relief to the people. It is not such a law as can be put into successful operation in any city in this State.

Cities having a population of less than 5,000 cannot have a saloon unless sixty-five per cent of all those who voted in the county at the last election sign a petition in its favor.

This is an unreasonable requirement and intended to defeat the operation of the law in all the rural counties of the State. Why should cities having a less population than 5,000 be controlled by the country? If all the voters of such cities desire a license under this bill, they cannot have it unless 65 per cent of the voters in the outlying townships of the county give their consent.

If a license should be granted, a bare majority in the county may at any time revoke it. Why should the granting of license in a city depend upon the will of 65 per cent of the voters in the county? And why should the country voters be given the right to revoke the license granted to a city? What right have the voters in the country to exercise municipal powers in the cities?

Again, section 22 of the bill makes it penal for one to treat another or give him intoxicating liquor.

If a license is granted, any man having the right to drink at the bar, is deprived, by this bill, from treating his friend by his side. Do the friends of this bill suppose that this feature will make it friends in cities of more than 5,000 population? It is not probable that this law will ever go into operation in the larger cities. Those who are engaged in the traffic at this time will not willingly exchange their present chances for the stringency of this bill.

They will not prefer giving a bond in the sum of \$3,000 with such stringent provisions as required by this bill, and where it is an offense for a customer to give his friend a drink at the bar. They sell now without bond and their customers are permitted to treat their friends, all which they will prefer to this bill. Besides this, those taxpayers who are not engaged in the liquor traffic, will never consent for the law proposed by this bill to go into operation in the larger cities, for the reason that the license now paid by the saloon keeper all goes into the city treasury. Whereas this bill requires one half of the \$600 to be paid into the county treasury. Why should any city prefer to divide the license with the county, if they can retain the whole amount in the city treasury as they do now?

Will Ottumwa, with her forty-two saloons, be willing to voluntarily give one-half of the \$600 to the county?

Will not her people prefer to conduct the saloons as they are at present and receive into their city treasury all the license money, rather than give \$300 from each saloon to the county?

The purpose of this bill is merely to relieve those in charge of the machine of the Republican party from a very perplexing and embarrassing situation.

The leaders have been compelled to submit to this as the best concession they could get from the prohibition element. But they are thankful for even this prohibition measure called license, living in hope that it may suffice to excuse them before the people. But it will fail to do this as it fails to give relief to the people. It will be regarded as political hypocrisy and fail to deceive them..

But, after all, it is a serious blow to prohibitionists. The Republican party, by its act this day, has at last done what it has so long declared it would not; it has legalized the saloon. The friends of the bill have tried to conceal this behind the use of words. But the privilege attempted to be given, if anything, is nothing less than license. The bill is intended for misleading the whisky element and for deceiving the prohibitionists. It continues prohibition and fails to give relief to the people.

T. B. PERRY.

Senator Waterman moved to reconsider the vote by which House file 537 passed the Senate.

Senator Funk moved to lay the motion to reconsider upon the table.
Carried.

Senator Lewis moved that the Senate do now adjourn until 3 o'clock P. M.

Carried.

The Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 3 o'clock P. M., President Dungan presiding.

Journal of yesterday was read, corrected and approved.

PETITIONS AND MEMORIALS.

Senator Andrews presented a petition from insurance policy holders of Audubon asking amendments to Senate file No. 28 and House file No. 58.

Referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES.

Senator Andrews, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred House file No. 155, a bill for an act requiring the United States flag to be placed within all school houses of the State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

H. F. ANDREWS,

Chairman.

Ordered passed on file.

Senator Phelps, from joint Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Senate file No. 307, an act to legalize the incorporation of the town of Conrad, Grundy county, Iowa, the election of its officers, and all acts done and the ordinances passed by the council of said town.

Senate file No. 284, an act to legalize the incorporation of the town of St. Charles, Madison county, Iowa, and all acts of its council passed since said town was incorporated.

Senate file No. 70, an act to legalize the ordinances passed by the incorporated town of Coon Rapids, Carroll county, Iowa.

Senate file No. 344, an act to legalize the incorporation of the town of Beaman, Grundy, county, Iowa, the election of its officers and all acts done and the ordinances passed by the council of said town.

Senate file No. 193, an act to legalize the assessment, levy and collection of taxes for library purposes in certain cities of the first class.

JULIAN PHELPS,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Senate file No. 155, an act to make further provisions for the care of insane persons.

Senate file No. 91, an act providing for a general levy for State purposes.

JULIAN PHELPS,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the governor for his appsoval, Senate file No. 310, an act to legalize the assessment and collection of taxes under the provisions of chapter 1 of the acts of the Twenty-fifth General Assembly.

Senate file No. 336, an act to legalize an election held for officers of the incorporated town of Goodell, Hancock county, Iowa, and also to legalize ordinances passed by said town.

Senate file No. 268, an act to legalize the acts and proceedings of the city of Clinton, Iowa.

Senate file No. 267, an act to legalize the official acts of J. C. Myers as mayor of the incorporated town of Fairbank, Iowa.

Substitute for Senate file No. 12, an act to authorize certain cities of the first class to purchase and condemn land for street purposes within said cities where said streets cross ravines, or where it is necessary to widen the street to construct embankments.

Senate file No. 305, an act to repeal section 3 of chapter 124 of the acts of the Twenty-third General Assembly, relating to the construction of the Independence and Rush Park Railway across land of the State.

Substitute for Senate file No. 125, an act to amend section 287 of the Code of 1873 as subsequently amended.

JULIAN PHELPS,
Chairman.

Senator Jamison, from the Committee on Congressional and Judicial Districts, submitted the following report:

MR. PRESIDENT—Your Committee on Congressional and Judicial Districts, to whom was referred Senate file No. 369, a bill for an act to amend section 3 of chapter 134 of the acts of the Twenty-first General Assembly, relative to the Eleventh and Seventh judicial districts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

By inserting in section 1 thereof, after the word "Boone" in the 4th line, the words "Story, Hamilton;" also, by striking out the word "two," in the 5th line, and inserting the word "three;" also, by striking out of the 5th line of section 2 thereof the words "and Story" and inserting in the same line the word "and" between the words "Benton" and "Marshall;" also to further amend said bill by substituting the following for section 3 thereof, to-wit: "Section 3. At the general election in 1894 there shall be elected in the seventeenth judicial district two judges whose terms shall commence January 1, A. D. 1895;" and that the bill when so amended do pass.

JAS. H. JAMISON,
Chairman.

Ordered passed on file.

INTRODUCTION OF BILLS.

By Senator Cheshire, Senate file No. 398, a bill for an act to legalize the organization of the Independent District of Valley Junction, Polk county, Iowa.

Read first and second times and referred to Committee on Judiciary.

On motion of Senator Dent House file No. 495, a bill for an act to amend sections 2650 and 2651 of the Code of Iowa, relating to demurrers, was substituted for Senate file No. 141.

Report of committee was read and recommendation that same be substituted for Senate file No. 141 was concurred in.

On motion of Senator Dent the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Everall, Finn, Garst, Gorrell, Groneweg, Harmon, Harper, Harsh, Henderson, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfeldt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Terry, Turner, Upton, Vale, Waterman, Yeomans—45.

The nays were:

None.

Absent or not voting:

Senators Funk, Green, Hipwell, Perry, Rowen—5.

So the bill passed and the title was agreed to.

Senator Ellis asked leave to file a motion to reconsider the vote by

which House file No. 495 passed the Senate, and that the motion lay over.

Leave granted.

Senate file No. 9, a bill for an act to promote the improvement of highways, and amendatory to section 969 of the Code of Iowa of 1873, and chapter 200 of the acts of the Twentieth General Assembly, with report of committee recommending substitute, and that same do pass, was taken up, considered, and the committee substitute was read.

Senator Boardman moved that the bill be read section by section. Carried.

Senator Boardman offered the following amendment:

Amend section 2 by adding after the word "year" in the third line the following: "and the said auditor is required to place the same on the tax books of the county in the same manner as county taxes are placed thereon."

Adopted.

Senator Kelly offered the following amendment to section 2 and moved its adoption.

Strike out the words "in each year" in third line.

Adopted.

MESSAGES FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 520, a bill for an act providing for the publication and distribution of the proceedings of the fourth reunion of the Pioneer Law Makers' Association of Iowa.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 348, a bill for an act to legalize the vote on water works at Prairie City, Iowa.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House requests the return of Senate file No. 104, a motion to reconsider having been filed.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has non-concurred in the following bill in which the concurrence of the House was asked:

Senate file No. 104, a bill for act requiring the United States flag to be placed upon all school houses or school grounds of the State of Iowa.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to return to your honorable body the following bills, as per your request:

Senate file No. 222, a bill for an act to regulate the writing of insurance risks.

Senate file No. 347, a bill for an act to apportion the State into Representative districts, and to declare the ratio of representation.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 432, a bill for an act appropriating funds for the support of the State fish commission.

House file No. 544, a bill for an act to appropriate money to pay the mileage and per diem of D. C. Stuart as a witness in the case of Stephens vs. Richardson.

Also, Joint Resolution No. 12, proposing an amendment to the constitution prohibiting the manufacture and sale of intoxicating liquor as a beverage and providing a mode for its enforcement.

I. K. WILSON,
Chief Clerk.

Senators Kilburn offered the following amendment:

Strike out "\$2.50," in fifth line of section 6 and insert "\$2.00."

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Andrews, Baldwin, Bishop, Downey, Eaton, Everall, Finn, Gorrell, Groneweg, Harmon, Harsh, Henderson, Hurst, Jewett, Kilburn, Lewis, Oleson, Penrose, Perry, Phelps, Rea, Reynolds, Vale—23.

The nays were:

Senators Boardman, Carpenter, Cheshire, Conaway, Craig, Dent, Ellis, Garst, Green, Harper, Kelly, Mattoon, Palmer, Perrin, Rigger, Terry, Turner, Upton, Waterman, Yeomans—20.

Absent or not voting:

Senators Brower, Chantry, Funk, Hipwell, Jamison, Lehfeldt, Rowen—7.

So the amendment was adopted.

Senator Andrews offered the following amendment to section 7:

Strike out of first line the words, "constitute a committee to," also the word "to" in second line between words, "and provide."

Adopted.

Senator Boardman offered the following amendment to section 10:

After the word "purposes" in third line insert the following: "And provided further, that all such persons who have not been assessed, as by this section provided, and whose assessment does not appear on the tax list for any year, whether

such parties were assessed at the time of making up such tax list or not, shall be assessed and required to pay the road supervisor of their respective districts in labor or in money, at their option, the said sum of two dollars per annum, and such money when so received shall be turned over to the township clerk for the general road fund."

Adopted.

Senator Cheshire offered the following amendment:

Strike out of section 10 the figures "\$2.00," and insert in lieu thereof the words, "two dollars."

Adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 39, a bill for an act to amend section 1, chapter 200, acts of the Twentieth General Assembly, and section 969 of the Code.

I. K. WILSON,
Chief Clerk.

Senator Bishop offered the following amendment to section sixteen:

Provided, That this act shall not take effect in any county until it has been approved by the electors thereof.

Lost.

The President announced that he had signed the following bills in the presence of the Senate:

Senate files Nos. 125, 305, 12, 238, 267, 336, 310, 193, 344, 70, 284, 307, 91, 155;
House files Nos. 452, 113, 379, 87, 9, 3, 199, 150, 447, 279, 476, 240.

WARREN S. DUNGAN,
Lieutenant-Governor.

Senator Jamison moved that the Senate do now adjourn.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, March 23, 1894. }

Senate met in regular session at 9 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. Truan C. Kenworthy, of Des Moines.

PETITIONS AND MEMORIALS.

Senator Harsh presented a petition from J. H. Patt, James Griffin, A. R. Fuller and seventy other citizens of Creston, Iowa, remonstrating against that clause in Senate file No. 340 relating to exemptions, which exempts (same as present law) from taxation public burial grounds; also that part of section 36 which relates to taxation of street railways, electric lights, water works, etc.; also that portion of section 62 found in lines, 1, 2, 3, 4 and 5.

Referred to Committee on Ways and Means.

Also:

A petition from R. Emerson and Dr. Camp, of Kellerton, Iowa, remonstrating against passage of Senate file No. 28 and House file No. 58 as they now read.

Same reference.

Senator Chantry presented a petition from T. L. Stevens and other citizens of Glenwood, Iowa, on same subject.

Same reference.

Senator Yeomans presented petitions from citizens of Sioux City on same subject.

Same reference.

Senator Groneweg presented a petition from citizens of Macedonia on same subject.

Same reference.

Senator Oleson presented a petition from citizens of Ft. Dodge on same subject.

Same reference.

Senator Phelps presented petitions from citizens of Anita on same subject.

Same reference.

Senator Rea presented a petition from J. C. Rice, of Grundy Center, Iowa, on same subject.

Same reference.

Senator Brower presented a memorial, and asked that it be read, from citizens of Clear Lake, Iowa, asking for a change in the pharmacy law.

Referred to the Committee on Suppression of Intemperance.

Senator Riggen presented a petition from citizens of Poweshiek county asking maintenance of present prohibitory law.

Same reference.

Also:

A petition from citizens of Poweshiek county asking passage of a law raising the age of consent.

Referred to Committee on Public Health.

Senator Rowen presented a petition from citizens of Des Moines county on same subject.

Same reference.

Senator Kelly presented a petition from citizens of Burlington, Iowa, asking the repeal of the hunters' trespass law.

Referred to Committee on Agriculture.

Senator Harsh presented petitions from S. J. Callison and eleven other citizens of Lorimor, and R. H. Hanna and sixty other citizens of Creston, Iowa, asking the passage of Senate file No. 103 and House file No. 187, relative to building and loan associations.

Referred to Committee on Banks and Banking.

Senator Reynolds presented petitions from citizens of Moravia and Centerville, Iowa, on same subject.

Same reference.

Senator Boardman presented petitions from citizens of Ames and Story City on same subject.

Same reference.

Senator Eaton presented petitions from citizens of Blanchard, Sidney, Coin and Randolph on same subject.

Same reference.

Senator Downey presented petitions from citizens of Keokuk on same subject.

Same reference.

Senator Phelps presented petitions from citizens of Harlan on same subject.

Same reference.

Senator Dent presented petitions from citizens of Lovilla, Iowa, on same subject.

Same reference.

Leave of absence was granted Senator Rowen.

INTRODUCTION OF BILLS.

By Senator Hurst, Senate file No. 399, a bill for an act to amend section 1717 of the Code of 1873, as amended by chapter 51, laws of 1882.

Read first and second times and referred to Committee on Schools.

By Senator Chantry, by request, Senate file No. 400, a bill for an act to provide for drainage for agriculture and sanitary purposes.

Read first and second times and referred to Committee on Agriculture.

By Senator Turner, Senate file No. 401, a bill for an act to amend section 468 of the Code, relative to the building of temporary sidewalks in cities and incorporated towns.

Read first and second times and referred to Committee on Cities and Towns.

REPORTS OF COMMITTEES.

Senator Lewis, from the Committee on Appropriations submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 362, a bill for an act providing an appropriation for conducting the office of the State dairy commissioner and for paying the expenses thereof, beg leave to report that it has had the same under consideration and has instructed me to report the same back to the Senate with the recommendation that it do pass.

L. W. LEWIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 251, a bill for an act appropriating funds for the support of the State Fish Commissioner, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by adding to section 1 the words, "and provided further that not more than three thousand dollars be expended during the year 1894," and when so amended that it do pass.

L. W. LEWIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 81, a bill for an act to establish the Eastern Iowa School for the Deaf, and to provide for the building and government of the same, beg leave to report that it has had the same under consideration and has instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

L. W. LEWIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 351, a bill for an act making an appropriation for the erection of a dormitory for widows and mothers of soldiers and sailors and army nurses, at the Iowa Soldiers' Home at Marshalltown, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

L. W. LEWIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 379, a bill for an act making an appropriation for the use and benefit of the Iowa State Dairy Association, beg leave to report that it has had the same under consideration and has instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

L. W. LEWIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 356, a bill for an act making appropriation for the better support of the State University in the several departments and chairs, and in aid of the income fund and for the development of the institution, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

L. W. LEWIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 261, a bill for an act for the relief of Frederick M. Hull of Webster county, Iowa, and to make an appropriation therefor, beg leave to report that it has had the same under consideration, has prepared a substitute therefor and instructed me to report the same back to the Senate with the recommendation that it be adopted and when adopted that it do pass.

L. W. LEWIS,
Chairman.

Ordered passed on file.

Senator Vale, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT — Your Committee on Agriculture, to whom was referred Senate file No. 378, a bill for an act to amend section 1665 of McClain's Annotated Code, authorizing boards of supervisors to appoint delegates to attend meetings of the Agricultural Society, beg leave to report that they have had the same under consideration and have instructed me to

report the same back to the Senate with the recommendation that the bill do pass.

B. R. VALE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 359, a bill for an act to repeal Senate file No. 85, an act of the Twenty-fifth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

B. R. VALE,
Chairman.

Ordered passed on file.

Senator Conaway introduced the following joint resolution:

JOINT RESOLUTION NO. 13, IN RELATION TO THE REMOVAL OF MAIL CARRIERS.

WHEREAS, A bill was recently introduced into the House of Representatives, U. S. A., by Hon. James G. Maguire, of California, conferring upon letter carriers recommended for dismissal, a legal and prior right to be heard in their own behalf, and

WHEREAS, The principles embodied in the bill commend themselves to all men whose sense of justice is normal, being simply a specific legislative affirmative of a right which the common law of the land recognizes a man's inalienable birth-right; therefore, be it

Resolved by the Twenty-fifth General Assembly of Iowa, That we heartily approve of said bill and urge our Senators and Representatives in Congress to do all in their power to promote its passage, and that a copy of these resolutions be forwarded to the Fifty-third Congress.

Read first and second times and referred to Committee on Federal Relations.

HOUSE MESSAGES.

House file No. 432, a bill for an act appropriating funds for the support of the State fish commission, was read first and second times and referred to Committee on Appropriations.

House file No. 544, a bill for an act to appropriate money to pay the mileage and per diem of D. C. Stuart as a witness in the case of Stephens vs. Richardson, was read first and second times and referred to the Committee on Appropriations.

Joint Resolution No. 12, proposing an amendment to the constitution prohibiting the manufacture and sale of intoxicating liquor as a beverage and providing a mode for its enforcement, was read first and second times and referred to Committee on Suppression of Intemperance.

House file No. 520, a bill for an act providing for the publication

and distribution of the proceedings of the fourth reunion of the Pioneer Law Makers' Association of Iowa, was read first and second times and referred to Committee on Printing.

House file No. 39, a bill for an act to amend section 1, chapter 200, acts of the Twentieth General Assembly, and section 969 of the Code, was read first and second times and referred to Committee on Judiciary.

Senator Conaway asked leave to withdraw his concurrent resolution relative to final adjournment on the 23rd inst.

Leave granted.

Senator Andrews moved that the request of the House for the return of Senate file No. 104 be granted.

Carried.

REPORTS OF STANDING COMMITTEES.

Senator Dent, from the Committee on Public Libraries, submitted the following report:

MR. PRESIDENT—Your Committee on Public Libraries, to whom was referred House file No. 235, a bill for an act to amend section 1, chapter 18, of the acts of the Twenty-second General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

W. H. DENT,
Chairman.

Ordered passed on file.

Senator Kilburn, from the Committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred House file No. 97, a bill for an act to amend section 3784 of the Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. M. KILBURN,
Chairman.

Ordered passed on file.

Senator Dent moved that House file No. 235, a bill for an act to amend section 1, chapter 18, of the acts of the Twenty-second General Assembly, be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Ellis, Everall, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Jewett, Kilburn, Lehfelddt, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Terry, Turner, Waterman—35.

The nays were:

None.

Absent or not voting:

Senators Baldwin, Eaton, Finn, Funk, Garst, Hipwell, Hurst, Jamison, Kelly, Lewis, Mattoon, Rowen, Upton, Vale, Yeomans—15.

So the bill passed and the title was agreed to.

Senator Harsh asked excuse for George Burnaugh, janitor of the Senate chamber on account of sickness in family.

Leave granted.

BILLS ON THIRD READING.

Senate file No. 180, a bill for an act to amend chapter 151, acts of Eighteenth General Assembly, relating to the State board of health, was taken up.

Senator Penrose moved that the reading just had be considered the third reading.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Eaton, Everall, Garst, Gorrell, Groneweg, Harmon, Henderson, Jewett, Kilburn, Lehfeldt, Mattoon, Palmer, Penrose, Perin, Phelps, Rea, Reynolds, Rigger, Rowen, Turner, Vale, Waterman—29.

The nays were:

Senators Bishop, Brower, Harper, Harsh, Kelly, Lewis, Perry, Yeomans—8.

Absent or not voting:

Senators Andrews, Dent, Downey, Ellis, Finn, Funk, Green, Hipwell, Hurst, Jamison, Oleson, Terry, Upton—12.

So the bill passed and the title was agreed to.

Senator Gorrell asked to have Senate file No. 138 passed until next Tuesday.

Granted.

UNFINISHED BUSINESS.

Senate file No. 9, a bill for an act to promote the improvement of highways, and amendatory to section 969 of the Code of Iowa of 1873, and chapter 200 of the acts of the Twentieth General Assembly, was taken up.

Senator Kelly offered the following amendment:

Strike out of section 16 all after the word "act" in the first line thereof, up to and including the word "but" in said line.

Adopted.

Senator Penrose offered the following amendment:

The provisions of this act shall not interfere with the duties of the township trustees as provided by section 969 of the Code of 1873, or the duties of road supervisors as now by law provided, nor shall this act be binding or in force until after it shall be published in the Iowa State *Register* and Des Moines *Leader*, newspa-

pers published in Des Moines, Iowa, and shall be assented to by a majority of the legal voters of any county in the State at any general election to which it is submitted; and then all moneys in the hands of the road supervisors shall be turned over to the township clerk, who shall give his receipt therefor, and said money shall be subject to the orders of the township trustees for highway purposes.

Adopted.

Senator Bishop offered the following amendment to the amendment:

Provided further, That this act shall not be operative in any township until approved by the electors thereof.

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment to the amendment be adopted?" the yeas were:

Senators Baldwin, Bishop, Brower, Chantry, Conaway, Downey, Everall, Finn, Gorrell, Groneweg, Harmon, Jewett, Perry, Phelps, Rea, Upton, Vale, Yeomans—18.

The nays were:

Senators Andrews, Boardman, Carpenter, Cheshire, Dent, Eaton, Ellis, Garst, Green, Harper, Harsh, Henderson, Kelly, Kilburn, Lehfeldt, Lewis, Palmer, Penrose, Perrin, Reynolds, Rigger, Terry, Waterman—23.

Absent or not voting:

Senators Craig, Funk, Hipwell, Hurst, Jamison, Mattoon, Oleson, Rowen, Turner—9.

So the amendment to the amendment was lost.

The question being upon the adoption of the amendment offered by Senator Penrose.

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Baldwin, Bishop, Boardman, Carpenter, Cheshire, Dent, Downey, Finn, Garst, Gorrell, Green, Groneweg, Harper, Harsh, Henderson, Hurst, Jewett, Kelly, Lehfeldt, Lewis, Oleson, Penrose, Perrin, Reynolds, Upton, Waterman, Yeomans—27.

The nays were:

Senators Andrews, Brower, Chantry, Conaway, Craig, Eaton, Ellis, Everall, Perry, Phelps, Rea, Rigger, Terry, Turner, Vale—15.

Absent or not voting:

Senators Funk, Harmon, Hipwell, Jamison, Kilburn, Mattoon, Palmer, Rowen—8.

So the amendment was adopted.

Senator Andrews offered the following amendment:

Amend section 14 by inserting after the word "supervisor" in the first line the words "but not repealed by this act."

Adopted.

Senator Kelly offered the following amendment:

Strike out of section 11 all after the word "him" in the 4th line thereof and insert the following: "The bond of such township clerk shall be fixed and approved by the township trustees."

Adopted.

Senator Cheshire offered the following amendment:

Amend section 6, as amended, by striking out the figures and dollar mark, "\$2.00," in the sixth line of the printed bill and inserting in lieu thereof the words, "two dollars."

Adopted.

Senator Penrose moved to amend the bill by adding the following section:

SECTION 13. The board of supervisors of each county in the State shall cause the provisions of this act to be submitted to the electors of their respective counties at the first general election hereafter, and at any subsequent general election upon a petition signed by not less than one-third of the qualified electors of their county asking that the provisions of this act be submitted to legal electors thereof.

Senator Bishop moved to amend the amendment by striking out the words "one-third" and inserting in lieu thereof the words "a majority."

Lost.

Upon the adoption of the amendment the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Andrews, Bishop, Carpenter, Cheshire, Dent, Downey, Everall, Garst, Gorrell, Groneweg, Harmon, Harper, Henderson, Hurst, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Oleson, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Waterman—28.

The nays were:

Senators Baldwin, Conaway, Ellis, Finn, Turner, Upton, Vale—7.

Absent or not voting:

Senators Boardman, Brower, Chantry, Craig, Eaton, Funk, Green, Harsh, Hipwell, Jamison, Mattoon, Perry, Rowen, Terry, Yeomans—15.

So the amendment was adopted.

Senator Kilburn offered the following amendment to section 11:

Amend section 11 by adding "which bond shall be deposited with the county auditor."

Adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed the following bill, in which the concurrence of the House was asked:

Senate file No. 45, a bill for an act to amend section 1726 of the Code, allowing boards of directors to establish kindergarten schools.

I. K. WILSON,
Chief Clerk,

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the House was asked:

Senate file No. 115, a bill for an act to provide for the proper interment of the remains of the pioneers on Okoboji and Spirit Lakes massacred by the Sioux Indians in 1857 and for the erection of a commemorative monument.

Senate file No. 245, a bill for an act to amend chapter 13, title 22, of the Code, in relation to the State Library, as amended by chapter 13 of the Nineteenth General Assembly and chapter 191 of the Twentieth General Assembly.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the House was asked:

Senate file No. 62, a bill for an act to authorize the board of supervisors of Marshall county, Iowa, to locate a highway in part on lands owned by the State.

Senate file No. 259, a bill for an act to legalize the levy of certain taxes for certain years in Dickinson county, Iowa.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

House file No. 386, a bill for an act to provide for the training school of State Normal School.

House file No. 593, a bill for an act to legalize the acts and ordinances of the incorporated town of Rockford, Floyd county, Iowa.

House file No. 543, a bill for an act to legalize the assessment of taxes within the incorporated town of Lake Park, for the year 1893.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

House file No. 613, a bill for an act to legalize the incorporation of the town of Valley Junction, Iowa.

House file No. 590, a bill for an act to legalize the proceedings of the Mound Cemetery Association of St. Clair township, Benton county, Iowa.

House file No. 616, a bill for an act to legalize the incorporation of the town of Buffalo Center, Winnebago county Iowa, the election of its officers and all official acts done by the council of said town.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 617, a bill for an act to legalize the incorporation of the town of Thompson, Winnebago county, Iowa, the election of its officers and all official acts done and ordinances passed by the council of said town.

House file No. 610, a bill for an act to legalize the ordinances passed by the incorporated town of Bagley, Guthrie county, Iowa.

House file No. 604, a bill for an act to legalize the acts, ordinances and contracts of the incorporated town of Foster, Monroe county, Iowa.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the House was asked:

Senate file No. 94, a bill for an act authorizing the commission of the Iowa Soldiers' Home to grant right of way for an electric street car line over State grounds.

Senate file No. 42, a bill for an act to amend sections 289 and 290 of the Code of 1873, as amended by chapter 16 of the laws of the Twenty-fourth General Assembly of the State of Iowa, relating to the bonding of county indebtedness.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolutions, in which the concurrence of the Senate is asked:

Relative to holding a joint session for the purpose of selecting the location of the new insane hospital.

Also, relative to date of adjournment of the two houses of the Twenty-fifth General Assembly.

I. K. WILSON,
Chief Clerk.

Senator Boardman offered the following amendment to section 17:

Amend section 17 by adding the words: "Provided all the provisions of section 16 have been complied with and consented to."

Adopted.

Senator Perry offered the following amendment to the bill.

Amend by striking out all of section 5.

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were: Senators Bishop, Brower, Downey, Everall, Finn, Gorrell, Grone-

weg, Harmon, Jewett, Oleson, Palmer, Perry, Phelps, Rea, Upton, Waterman—16.

The nays were:

Senators Andrews, Boardman, Carpenter, Cheshire, Conaway, Craig, Dent, Eaton, Ellis, Funk, Garst, Green, Harper, Harsh, Henderson, Hurst, Kilburn, Lehfelddt, Penrose, Perrin, Reynolds Rigger, Terry, Turner, Vale—25.

Absent or not voting:

Senators Baldwin, Chantry, Hipwell, Jamison, Kelly, Lewis, Mattoon, Rowen, Yeomans—9.

So the amendment was lost.

Senator Perry offered the following amendment:

Strike out section 10.

Lost.

Senator Boardman moved that the rules be suspended, the bill considered engrossed and read a third time now, which motion prevailed.

Senator Kelly moved that the reading just finished be considered the third reading.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Boardman, Carpenter, Cheshire, Craig, Dent, Funk, Garst, Gorrell, Green, Harper, Henderson, Kelly, Kilburn, Lehfelddt, Mattoon, Penrose, Perrin, Reynolds, Rigger, Terry, Upton, Waterman—22.

The nays were:

Senators Baldwin, Bishop, Brower, Chantry, Downey, Eaton, Ellis, Everall, Finn, Groneweg, Harmon, Harsh, Jamison, Jewett, Lewis, Oleson, Palmer, Perry, Phelps, Rea, Turner, Vale, Yeomans—23.

Absent or not voting:

Senators Andrews, Conaway, Hipwell, Hurst, Rowen—5.

So the bill having failed to receive a constitutional majority was declared lost.

Senator Harper asked leave to withdraw his motion to reconsider the vote by which Senator Kelly's resolution passed the Senate.

Leave granted and motion withdrawn.

Senator Garst offered the following resolution and moved its adoption:

Resolved, That the Senate hold an evening session, March 23, at 7:30 o'clock, for the purpose of disposing of legalizing acts and bills recommended for indefinite postponement.

Senator Andrews moved to amend as follows:

By adding the words, "and other bills to which there is no opposition."

Lost.

The resolution offered by Senator Garst was adopted.

Senator Jamison offered the following resolution, and moved its adoption:

WHEREAS, The bill creating a non-partisan commission to revise and codify the statutes has become a law; and

WHEREAS, One of the members of said commission is to be elected by the Senate; therefore, be it

Resolved, That the Senate elect one member of said commission, and that said election be held on Wednesday, March 28th, at 10'clock, A. M.

Adopted.

Senator Dent moved that House messages be taken up for consideration.

Carried.

HOUSE MESSAGES.

House file No. 386, a bill for an act to provide for the training school of State Normal School, was read first and second times and passed on file.

House file No. 543, a bill for an act to legalize the assessment of taxes within the incorporated town of Lake Park for the year 1893, was read first and second times and passed on file.

House file No. 593, a bill for an act to legalize the acts and ordinances of the incorporated town of Rockford, Floyd county, Iowa, was read first and second times and passed on file.

House file No. 616, a bill for an act to legalize the incorporation of the town of Buffalo Center, Winnebago county, Iowa, the election of its officers, and all official acts done by the council of said town, was read first and second times and passed on file.

House file No. 590, a bill for an act to legalize the proceedings of the Mound Cemetery Association, of St. Clair township, Benton county, Iowa, was read first and second times and passed on file.

House file No. 613, a bill for an act to legalize the incorporation of the town of Valley Junction, Iowa, was read first and second times and passed on file.

House file No. 617, a bill for an act to legalize the incorporation of the town of Thompson, Winnebago county, Iowa, the election of its officers, and all official acts done and ordinances passed by the council of said town, was read first and second times and passed on file.

House file No. 610, a bill for an act to legalize the ordinances passed by the incorporated town of Bagley, Guthrie county, Iowa, was read first and second times and passed on file.

House file No. 604, a bill for an act to legalize the acts, ordinances and contracts of the incorporated town of Foster, Monroe county, Iowa, was read first and second times and passed on file.

Senator Dent moved that House concurrent resolution relative to a

joint session to locate new hospital for the insane be considered now.

Carried.

HOUSE CONCURRENT RESOLUTION RELATIVE TO A JOINT SESSION TO LOCATE
NEW HOSPITAL FOR THE INSANE.

Be it resolved by the House, the Senate concurring, That the committee appointed to visit the several towns, that are candidates for the location of the new insane hospital, in northwestern Iowa, be directed to report to the House and Senate on Tuesday noon, March 27th, and that a joint session of both Houses be held in the Hall of the House of Representatives, on the evening of March 29th, at 8 o'clock, for the purpose of selecting the location for said institution.

Senator Dent moved that the resolution be adopted.

Carried.

Senator Waterman moved to take up for consideration House concurrent resolution relative to final adjournment.

Carried.

HOUSE CONCURRENT RESOLUTION RELATIVE TO FINAL ADJOURNMENT.

Resolved by the House, the Senate concurring, That the Speaker of the House and the President of the Senate shall each declare his respective House adjourned *sine die* April 6, 1894, at 12 o'clock M.

Senator Lewis moved to amend by fixing the time April 4.

Lost.

Senator Waterman moved that the concurrent resolution be adopted.

Senator Ellis moved to postpone consideration of the resolution until next Tuesday.

Lost.

Senator Jamison moved that the Senate do now adjourn.

Lost.

Senator Ellis moved that the Senate do now adjourn.

Lost.

Senator Ellis moved to amend concurrent resolution by fixing time for final adjournment April 2.

Lost.

Senator Ellis moved that the Senate do now adjourn.

Upon this the yeas and nays were demanded.

On the question, "Shall the Senate adjourn," the yeas were:

Senators Baldwin, Bishop, Chantry, Conaway, Ellis, Finn, Jamison, Kilburn, Lewis, Mattoon, Palmer, Penrose, Phelps, Rea, Rigger—15.

The nays were:

Senators Andrews, Boardman, Carpenter, Cheshire, Craig, Dent, Downey, Eaton, Everall, Funk, Garst, Gorrell, Groneweg, Harmon, Harper, Henderson, Jewett, Kelly, Lehfeldt, Oleson, Perrin, Perry, Reynolds, Terry, Turner, Waterman—27.

Absent or not voting:

Senators Brower, Harsh, Hipwell, Hurst, Rowen, Upton, Vale, Yeomans—8.

The Senate refused to adjourn.

Senator Upton was granted leave of absence until 2 p. m.

Senator Carpenter moved to amend the concurrent resolution by fixing the date of final adjournment at April 1, 1894.

Lost.

The question being upon the adoption of the concurrent resolution.

Adopted.

Senator Waterman asked leave to file a motion to reconsider the vote by which the concurrent resolution passed the Senate.

Leave granted and motion filed.

Senator Kelly moved to reconsider the motion by which the concurrent resolution passed the Senate.

Senator Perry moved that the motion to reconsider be laid upon the table.

Lost.

Senator Ellis moved that the Senate do now adjourn.

Senator Perry moved to amend by making the time to which the Senate adjourned 3 p. m.

Carried.

The Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment, at 3 o'clock p. m., President Dungan presiding.

Senators Gorrell and Funk were granted leave of absence until Monday.

The question being upon the motion by Senator Perry that Senator Kelly's motion to reconsider the vote by which House concurrent resolution relative to final adjournment passed the House, be laid upon the table.

Upon this the yeas and nays were demanded.

On the question, "Shall the motion to reconsider be laid upon the table?" the yeas were:

Senators Bishop, Dent, Everall, Green, Groneweg, Harper, Hipwell, Hurst, Jamison, Kelly, Oleson, Perry, Terry, Vale, Yeomans—15.

The nays were:

Senators Andrews, Baldwin, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Downey, Eaton, Ellis, Finn, Funk, Gorrell, Harmon, Harsh, Henderson, Jewett, Kilburn, Lehfeldt, Lewis, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Rowen, Turner, Upton, Waterman—32.

Absent or not voting:

Senators Brower, Garst, Mattoon—3.

So the motion was lost.

Senator Ellis moved that Senate file No. 280, 145 on the calendar, be taken up for consideration now.

Upon this the yeas and nays were demanded.

On the question, "Shall the bill be taken up for consideration?" the yeas were:

Senators Bishop, Boardman, Brower, Carpenter, Chantry, Conaway, Craig, Dent, Ellis, Finn, Funk, Garst, Gorrell, Harmon, Hipwell, Hurst, Jamison, Jewett, Lehfeldt, Lewis, Penrose, Perry, Rigger, Rowen, Turner, Upton, Vale, Yeomans—28.

The nays were:

Senators Andrews, Baldwin, Cheshire, Downey, Eaton, Green, Groneweg, Harper, Harsh, Henderson, Kelly, Kilburn, Oleson, Palmer, Perrin, Phelps, Rea, Terry, Waterman—19.

Absent or not voting:

Senators Everall, Mattoon, Reynolds—3.

So the motion having failed to receive a two-third's majority, was declared lost.

Senator Lewis offered the following concurrent resolution and moved its adoption:

Resolved by the Senate, the House concurring: That the Executive Council is hereby authorized to make all necessary arrangements for lighting the Senate and House chambers by electricity prior to the convening of the Twenty-sixth General Assembly.

Adopted.

On motion of Senator Green, Senate file No. 239, a bill for an act to improve highways and streets by macadamizing, with report of committee recommending passage, was taken up, considered, and the report of the committee was read.

Senator Green moved that the rule be suspended, and the bill be considered engrossed and read a third time now.

Senator Ellis offered the following amendment:

Add after the word "labor," the following: "Except when employed in work upon public buildings or other important works," and strike out *a* after the word, "labor," in the original bill.

Adopted.

Senator Reynolds offered the following amendment:

SEC. 2. No county shall be allowed more than one order of ten car-loads until all other orders are filled.

Adopted.

Senator Waterman offered the following amendment:

Strike out of section 1 all beginning with the word "or" in line 4 and ending with the word "diameter" in line 5.

Adopted.

The question being "Shall the rules be suspended, the bill be considered engrossed and read third time now?"

Carried and bill read third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Ellis, Everall, Finn, Garst, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfeldd, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman, Yeomans—44.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Eaton, Funk, Gorrell, Hipwell, Rea—6.

So the bill passed.

Senator Waterman offered the following amendment to the title:

Amend title by inserting after the word "act" the words, "providing for breaking and loading stone by convict labor at Anamosa penitentiary and the State quarry, to be used in."

Adopted and as amended the title was agreed to.

Substitute for Senate file No. 261 was read first and second times and passed on file.

Senator Finn presented a petition from insurance policy holders of Bedford, Iowa, asking amendments to Senate file No. 28.

REPORT OF COMMITTEE.

Senator Finn, from the Committee on Educational Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred Senate file No. 322, a bill for an act to incorporate the deaf and dumb manual alphabet in the school text-books, beg leave to report that they have, by order of the Senate, re-referred the same to Committee on Schools.

G. L. FINN,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred Senate file No. 335, a bill for an act to provide for the education of deaf and dumb children in eastern Iowa, beg leave to report that they have, by order of the Senate, re-referred the same to the Committee on Appropriations.

G. L. FINN,
Chairman.

On motion of Senator Perry, Senate file No. 7, a bill for act to prevent insurance trusts and combines, and providing punishment for the same, with report of committee recommending amendments and when so amended that the same be indefinitely postponed, was taken up, considered, and the majority report of the committee was read.

Senator Perry moved that the minority report be substituted for the majority report.

Upon this the yeas and nays were demanded.

On the question, "Shall the minority report be substituted for the majority report?" the yeas were:

Senators Baldwin, Bishop, Brower, Chantry, Conaway, Craig, Downey, Everall, Green, Groneweg, Harsh, Henderson, Hurst, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Mattoon, Oleson, Penrose, Perry, Rea, Reynolds, Terry, Turner, Vale, Waterman, Yeomans—29.

The nays were:

Senators Andrews, Carpenter, Cheshire, Dent, Ellis, Harmon, Harper, Jamison, Palmer, Perrin, Phelps, Rowen, Upton—13.

Absent or not voting:

Senators Boardman, Eaton, Finn, Funk, Garst, Gorrell, Hipwell, Rigger—8.

So the minority report was substituted for the majority report.

Senator Harper offered the following explanation of his vote:

Against Senate file No. 7 I vote no. My reasons for doing so is that the right to make and establish rates is the only element of security that this class of corporations possess. Anything or laws that would operate to abridge this right would work a hardship upon the people and not the corporations. By uniting they can more cheaply rate a town or city and in this way the people derive a benefit.

If the corporations were prevented from adopting this inexpensive method of fixing rates, and obliged to follow a more expensive rule, the people must pay this increased expense. It stands to reason that if the corporations may unite and fix the rates for all it will cost each individual corporation less than if it was obliged to send a man specially to make that rate. One thing is sure that whatever the risk costs to carry the people will be obliged to pay.

T. G. HARPER.

Senator Perry moved that the amendments proposed by the committee be adopted.

Carried.

Senator Perry moved that the rules be suspended, the bill be considered engrossed and read a third time now.

Senator Andrews offered the following amendment:

Amend section 1 by striking out of line 5 the words "regulate or fix the rate of," and insert in lieu thereof the words "prevent competition of the rate," and to strike out all of the balance of section 1 after the first word "insurance" in the sixth line.

Lost.

The question being, "Shall the rules be suspended, the bill considered engrossed and read a third time now?"

Carried.

Senator Andrews moved that the reading just had be considered the third reading.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Carpenter, Chantry, Conaway, Craig, Downey, Everall, Finn, Green, Groneweg, Harsh, Henderson, Hipwell, Hurst, Jewett, Kelly, Kilburn, Lewis, Mattoon, Oleson, Penrose, Perry, Rea, Reynolds, Rigger, Terry, Vale, Waterman, Yeomans—30.

The nays were:

Senators Andrews, Dent, Ellis, Harmon, Harper, Jamison, Perrin, Phelps, Rowen, Turner, Upton—11.

Absent or not voting:

Senators Boardman, Brower, Cheshire, Eaton, Funk, Garst, Gorrell, Lehfeltdt, Palmer—9.

So the bill passed and the title was agreed to.

Senator Dent moved that Senate file No. 330, a bill for an act to allow the manufacture of spirituous, vinous and malt liquors within the State of Iowa, be made a special order for Tuesday next.

Upon this the yeas and nays were demanded.

On the question, "Shall Senate file No. 330 be made a special order?" the yeas were:

Senators Bishop, Brower, Carpenter, Cheshire, Conaway, Craig, Dent, Downey, Ellis, Everall, Garst, Harmon, Harper, Harsh, Hipwell, Hurst, Kelly, Lehfeltdt, Mattoon, Oleson, Perry, Rigger, Turner, Upton, Vale, Yeomans—26.

The nays were:

Senators Andrews, Baldwin, Chantry, Finn, Groneweg, Henderson, Jamison, Jewett, Kilburn, Lewis, Palmer, Perrin, Phelps, Rea, Reynolds, Rowen, Terry—17.

Absent or not voting:

Senators Boardman, Eaton, Funk, Gorrell, Green, Penrose, Waterman—7.

So the Senate refused to make the special order.

Senate file No. 240, a bill for an act to amend section 277 of the Code of 1873, relating to the administering of oaths and acknowledgment of instruments in writing by notaries public, with report of committee recommending amendments and when so amended that same do pass, was taken up, considered, and the report of the committee adopted.

Senator Harmon moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were.

Senators Andrews, Baldwin, Bishop, Carpenter, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Everall, Finn, Garst, Groneweg, Harmon, Harper, Henderson, Hurst, Jamison, Jewett, Kilburn, Lehfeldt, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Rea, Reynolds, Riggan, Turner, Upton, Vale, Yeomans—35.

The nays were:

None.

Absent or not voting:

Senators Boardman, Brower, Chantry, Ellis, Funk, Gorrell, Green, Harsh, Hipwell, Kelly, Mattoon, Phelps, Rowen, Terry, Waterman—15.

So the bill passed and the title was agreed to.

Yesterday's journal was read, corrected and approved.

Senator Reynolds asked leave to withdraw Senate file No. 258, to correct an error in committee report.

Leave granted.

REPORTS OF COMMITTEES.

Senator Carpenter, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House file No. 388, a bill for an act to amend section 1800 of the Code of Iowa, as amended by chapter 139, of the laws of the Eighteenth General Assembly of the State of Iowa, beg leave to report that they have had the same under consideration, have instructed me to report the same back to the Senate with the recommendation that it do pass.

C. A. CARPENTER,
Chairman.

Ordered passed on file.

Senator Harmon, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 398, a bill for an act to legalize the organization of the independent district of Valley Junction, Polk county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Senator Finn moved that the vote by which Senate file No. 7 passed the Senate be reconsidered.

Carried.

Senator Ellis asked that his motion to reconsider vote by which House file No. 495 passed the Senate, go over until to-morrow.

It was so ordered.

Senator Penrose moved that the Senate do now adjourn until 7:30 o'clock P. M.

Carried.

The Senate adjourned.

EVENING SESSION.

Senate met pursuant to adjournment at 7:30 P. M., and was called to order by Senator Finn, president *pro tem*.

Senator Perrin introduced the following resolution:

Resolved, That the following bills be indefinitely postponed: Senate files Nos 3, 96, 99, 102, 114, 130, 136, 198, 229, 292, 354, 353, 237, House file No. 35, Senate files Nos. 311, 331, 321, 361, 333, 5, 103, 106, 109, 308, 81, 351 and 356.

Adopted.

Senator Conaway was granted leave of absence for this session, and Senator Jewett until next Tuesday.

House file No. 522, a bill for an act to legalize the town plat of the town of Grinnell, Iowa, was taken up.

Senator Rikken moved that the rule be suspended and the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Cheshire, Conaway, Craig, Downey, Everall, Finn, Garst, Green, Groneweg, Harmon, Harper, Hipwell, Jamison, Kilburn, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Rikken, Rowen, Terry, Turner, Upton, Vale, Waterman—33.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Chantry, Dent, Eaton, Ellis, Funk, Gorrell, Harsh, Henderson, Hurst, Jewett, Kelly, Lehfelddt, Lewis, Mattoon, Reynolds, Yeomans—17.

So the bill passed and the title was agreed to.

House file No. 573, a bill for an act to legalize the incorporation of the town of Ellsworth, Hamilton county, Iowa, the election of its officers and all acts done, and ordinances passed by the council of said town was taken up for consideration.

Senator Rowen moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Cheshire, Conaway, Craig, Downey, Everall, Finn, Garst, Green, Groneweg, Harmon, Harper, Harsh, Hipwell, Kilburn, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Rikken, Rowen, Terry, Turner, Upton, Vale, Waterman—33.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Chantry, Dent, Eaton, Ellis, Funk, Gorrell, Henderson, Hurst, Jamison, Jewett, Kelly, Lehfelddt, Lewis, Mattoon, Reynolds, Yeomans—17.

So the bill passed and the title was agreed to.

House file No. 489, a bill for an act to legalize the incorporation of the town of Epworth, Dubuque county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town, was taken up.

Senator Baldwin moved that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Cheshire, Craig, Downey, Everall, Garst, Green, Groneweg, Harmon, Harper, Harsh, Hipwell, Kilburn, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Rikken, Rowen, Terry, Turner, Vale, Waterman—30.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Chantry, Conaway, Dent, Eaton, Ellis, Finn, Funk, Gorrell, Henderson, Kilburn, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Upton, Yeomans—21.

So the bill passed and the title was agreed to.

Senate file No. 385, a bill for an act to legalize the ordinances of the incorporated town of Valley Junction, Iowa, with report of committee recommending passage, was taken up and the report of the committee was read.

Senator Cheshire moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Cheshire, Craig, Downey, Everall, Finn, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Hipwell, Kilburn, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman—32.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Chantry, Conaway, Dent, Eaton, Ellis, Funk, Gorrell, Henderson, Hurst, Jamison, Jewett, Kelly, Lehfelddt, Lewis, Mattoon, Reynolds, Yeomans—18.

So the bill passed and the title was agreed to.

Senate file No. 382, a bill for an act to legalize the ordinances passed by the incorporated town of Bagley, Guthrie county, Iowa, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Cheshire moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Cheshire, Craig, Downey, Everall, Finn, Garst, Green, Groneweg, Harmon, Harper, Harsh, Hipwell, Kilburn, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman—32.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Chantry, Conaway, Dent, Eaton, Ellis, Funk, Gorrell, Henderson, Hurst, Jamison, Jewett, Kelly, Lehfelddt, Lewis, Mattoon, Reynolds, Yeomans—18.

So the bill passed and the title was agreed to.

On motion of Senator Andrews, House file No. 610, a bill for an act to legalize the ordinances passed by the incorporated town of Bagley, Guthrie county, Iowa, was substituted for Senate file No. 382.

Senator Andrews moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Cheshire, Craig, Downey, Everall, Finn, Garst, Green, Groneweg, Harmon, Harper, Harsh, Kilburn, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman—32.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Chantry, Conaway, Dent, Eaton, Ellis, Funk, Gorrell, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Lehfeldt, Lewis, Reynolds, Yeomans—18.

So the bill passed and the title was agreed to.

Senate file No. 389, a bill for an act to legalize the acts and ordinances of the incorporated town of Oelwein, Fayette county, Iowa, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Senator Mattoon moved that the rules be suspended, the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Cheshire, Craig, Downey, Everall, Finn, Garst, Green, Groneweg, Harmon, Harper, Harsh, Kilburn, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman—32.

The nays were:

Senators Carpenter, Chantry, Conaway, Dent, Eaton, Ellis, Funk, Gorrell, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Lehfeldt, Lewis, Reynolds, Yeomans—18.

So the bill passed and the title was agreed to.

House file No. 543, a bill for an act to legalize the assessment of taxes within the incorporated town of Lake Park for the year 1893, was taken up.

Senator Garst moved that the rule be suspended, and the bill be considered engrossed and read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Cheshire, Craig, Downey, Everall, Garst, Green, Groneweg, Harmon, Harper,

Harsh, Kilburn, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Rigger, Rowen, Terry, Turner, Vale, Waterman—30.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Chantry, Conaway, Dent, Eaton, Ellis, Finn, Funk, Gorrell, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Lehfeltdt, Lewis, Reynolds, Upton, Yeomans—20.

So the bill passed and the title was agreed to.

House file No. 593, a bill for an act to legalize the ordinances of the incorporated town of Rockford, Floyd county, Iowa, was taken up for consideration.

Senator Perrin moved that the rule be suspended, and the bill be considered engrossed and read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Cheshire, Craig, Downey, Everall, Garst, Green, Groneweg, Harmon, Harper, Harsh, Jamison, Kilburn, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Rigger, Rowen, Terry, Turner, Vale, Waterman—32.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Chantry, Conaway, Dent, Eaton, Ellis, Finn, Funk, Gorrell, Henderson, Hipwell, Hurst, Jewett, Kelly, Lehfeltdt, Lewis, Reynolds, Upton, Yeomans—19.

So the bill passed and the title was agreed to.

House file No. 590, a bill for an act to legalize the proceedings of the Mound Cemetery Association of St. Clair township, Benton county, Iowa, was taken up.

Senator Penrose moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

"On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Cheshire, Craig, Downey, Everall, Finn, Garst, Green, Groneweg, Harmon, Harper, Harsh, Jamison, Kilburn, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Rigger, Rowen, Terry, Turner, Vale, Waterman—32.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Chantry, Conaway, Dent, Eaton, Ellis, Funk,

Gorrell, Henderson, Hipwell, Hurst, Jewett, Kelly, Lehfeldt, Lewis, Reynolds, Upton, Yeomans—18.

So the bill passed and the title was agreed to.

House file No. 604, a bill for an act to legalize the acts, ordinances and contracts of the incorporated town of Foster, Monroe county, Iowa, was taken up.

Senator Perry moved that the rule be suspended, and the bill be considered engrossed and read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Cheshire, Craig, Everall, Finn, Garst, Green, Groneweg, Harmon, Harper, Harsh, Jamison, Kilburn, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Rigger, Rowen, Terry, Turner, Vale, Waterman—31.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Chantry, Conaway, Dent, Downey, Eaton, Ellis, Funk, Gorrell, Henderson, Hipwell, Hurst, Jewett, Kelly, Lehfeldt, Lewis, Reynolds, Upton, Yeomans—19.

So the bill passed and the title was agreed to.

House file No. 617, a bill for an act to legalize the incorporation of the town of Thompson, Winnebago county, Iowa, the election of its officers and all official acts done and ordinances passed by the council of said town, was taken up.

Senator Harmon moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Cheshire, Craig, Downey, Everall, Finn, Garst, Green, Groneweg, Harmon, Harper, Harsh, Jamison, Kilburn, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman—32.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Chantry, Conaway, Dent, Eaton, Ellis, Funk, Gorrell, Henderson, Hipwell, Hurst, Jewett, Kelly, Lehfeldt, Lewis, Reynolds, Upton, Yeomans—18.

So the bill passed and the title was agreed to.

Senator Cheshire moved to reconsider the vote by which Senate file No. 384 passed the Senate.

Carried.

House file No. 36, a bill for an act to legalize the incorporation of the town of Valley Junction was taken up for consideration.

Senator Cheshire moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Cheshire, Craig, Downey, Everall, Finn, Garst, Green, Groneweg, Harmon, Harper, Jamison, Kilburn, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Rigger, Rowen, Terry, Turner, Vale, Waterman—30.

The nays were:

None.

Absent or not voting:

Senators Brower, Carpenter, Chantry, Conaway, Dent, Eaton, Ellis, Funk, Gorrell, Harsh, Henderson, Hipwell, Hurst, Jewett, Kelly, Lehfeltdt, Lewis, Reynolds, Upton, Yeomans—21.

So the bill passed and the title was agreed to.

Senator Cheshire moved that Senate file No. 384 be indefinitely postponed.

Carried.

House file No. 616, a bill for an act to legalize the incorporation of the town of Buffalo Center, Winnebago county, Iowa, the election of its officers and all official acts done by the council of said town, was taken up.

Senator Harmon moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Cheshire, Craig, Downey, Everall, Finn, Garst, Green, Groneweg, Harmon, Harper, Jamison, Kilburn, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Rigger, Rowen, Terry, Turner, Vale—29.

The nays were:

None:

Absent or not voting:

Senators Brower, Carpenter, Chantry, Conaway, Dent, Eaton, Ellis, Funk, Gorrell, Harsh, Henderson, Hipwell, Hurst, Jewett, Kelly, Lehfeltdt, Lewis, Reynolds, Upton, Yeomans—21.

So the bill passed and the title was agreed to.

Senate file No. 392, a bill for an act to legalize the act of Zion's Church of the Evangelical Associations in Charles City, Floyd county, Iowa, and the board of trustees, with report of committee recommend-

ing passage was taken up, considered, and the report of the committee was read.

Senator Perrin moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Cheshire, Craig, Downey, Everall, Finn, Garst, Green, Groneweg, Harmon, Harper, Jamison, Kilburn, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Rigger, Terry, Turner, Vale, Waterman—29.

The nays were:

None.

Absent or not voting:

Senators Brower, Carpenter, Chantry, Conaway, Dent, Eaton, Ellis, Funk, Gorrell, Harsh, Henderson, Hipwell, Hurst, Jewett, Kelly, Lehfeldt, Lewis, Reynolds, Rowen, Upton, Yeomans—21.

So the bill passed and the title was agreed to

Senate file No. 374, a bill for an act to legalize the election of Riverside, county of Washington, and State of Iowa, with report of committee recommending amendments and when so amended it do pass, was taken up, considered, and the report of the committee adopted.

Senator Palmer moved that the rule be suspended, and the bill be considered engrossed and read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Cheshire, Craig, Downey, Everall, Finn, Garst, Green, Groneweg, Harmon, Harper, Jamison, Kilburn, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Rigger, Terry, Turner, Vale, Waterman—29.

The nays were:

None.

Absent or not voting:

Senators Brower, Carpenter, Chantry, Conaway, Dent, Eaton, Ellis, Funk, Gorrell, Harsh, Henderson, Hipwell, Hurst, Jewett, Kelly, Lehfeldt, Lewis, Reynolds, Rowen, Upton, Yeomans—21.

So the bill passed and the title was agreed to.

Senate file No. 398, a bill for an act to legalize the independent school district of Valley Junction, Polk county, Iowa, was taken up.

Senator Cheshire moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Cheshire, Craig Downey, Everall, Finn, Garst, Green, Groneweg, Harmon, Harper, Jamison, Kilburn, Mattoon, Oleson, Palmer, Penrose, Perrin, Phelps, Rea, Rigger, Terry, Turner, Vale, Waterman—28.

The nays were:

None.

Absent or not voting:

Senators Brower, Carpenter, Chantry, Conaway, Dent, Eaton, Ellis, Funk, Gorrell, Harsh, Henderson, Hipwell, Hurst, Jewett, Kelly, Lehfelddt, Lewis, Perry, Reynolds, Rowen, Upton, Yeomans—22.

So the bill passed and the title was agreed to.

Senator Oleson moved that Senate file No. 152 be re-referred to Committee on Ways and Means.

Carried.

Senator Vale moved that the Senate do now adjourn.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Saturday, March 24, 1894. }

Senate met pursuant to adjournment, at 9 o'clock, A. M., and was called to order by President Dungan.

Prayer was offered by Rev. George L. Kolb, of Pitzer, Iowa.

PETITIONS AND MEMORIALS.

Senator Garst presented petitions from citizens of Odebolt and Grand Junction, Iowa, asking passage of Senate file No. 103 and House file No. 187.

Referred to Committee on Banks and Banking.

Senator Kelly presented a petition from thirty-five citizens of Victor, Iowa, on same subject.

Same reference.

Senator Brower presented a petition from citizens of Garner, Iowa, on same subject.

Same reference.

Senator Oleson presented a petition from citizens of Calhoun county asking for the repeal of Senate file No. 85, hunters' trespass law.

Referred to Committee on Agriculture.

Senator Turner presented a preamble and resolution from Frank M. Thomas Post, G. A. R., asking for the location of the soldiers' monument on the ground of the Iowa Soldiers' Home.

Referred to Committee on Soldiers' Monument.

Also:

A petition from citizens of State Center, Iowa, asking for the passage of the "uniform bill," in relation to beneficiary associations.

Referred to Committee on Insurance.

Senator Harsh presented a petition from Joseph Smith and twenty-five other citizens of Lamoni, Iowa, asking for the formation of a county board of guardians for children, with form of bill attached.

Referred to Committee on Charitable Institutions.

Senator Perrin presented a petition from citizens of Nashua, Iowa, asking the passage of a law establishing a State board of embalming.

Referred to Committee on Public Health.

Senator Harsh presented a petition from Thomas Waller and fifty-one other citizens of Leon, Iowa, on same subject.

Same reference.

INTRODUCTION OF BILLS.

By Senator Eaton, Senate file No. 402, a bill for an act to provide for the transfer of estates of persons under guardianship from any county in Iowa to another state jurisdiction.

Read first and second times and referred to Committee on Judiciary.

By Senator Harsh, Senate file No. 403, a bill for an act to avoid delay in administration of justice.

Read first and second times and referred to Committee on Judiciary.

REPORTS OF COMMITTEES.

Senator Rea, from the Committee on Fish and Game, submitted the following report:

MR. PRESIDENT—Your Committee on Fish and Game, to whom was referred Senate file No. 383, a bill for an act to repeal section 11, chapter 34, laws of the Twenty-third General Assembly of the State of Iowa, relating to fishing in the Mississippi, the Missouri, the Big Sioux and the Des Moines rivers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. M. REA,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Fish and Game, to whom was referred Senate file No. 186, a bill for an act to provide for the protection of fish and game, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

J. M. REA,
Chairman.

Ordered passed on file.

Senator Upton, from the Committee on Printing, submitted the following report:

MR. PRESIDENT—Your Committee on Printing, to whom was referred House file No. 520, a bill for an act providing for the publication and distribution of the proceedings of the fourth reunion of the Pioneer Law Makers Association of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

C. C. UPTON,
Chairman.

Ordered passed on file.

Senator Phelps, from Joint Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectively report that they have this day examined and presented to the Governor for his approval:

Senate file No. 64, an act to apply to cities of the first class the provisions of chapter 78, laws of the Twenty-fourth General Assembly, as amended by chapter seventeen (17) laws of the Twenty-second General Assembly, and chapter fifteen, laws of the Twenty-fourth General Assembly.

Senate file No. 143, an act creating a board of library trustees, defining the powers and prescribing the duties of such board.

Senate file No. 309, an act to amend chapter one (1) of the acts of the Twenty-fourth General Assembly, entitled an act to establish a board of park commissioners in certain cities of the first class, defining the duties and to further extend the powers and prescribe the duties of such commissioners.

Senate file No. 42, an act to amend sections 289 and 290 of the Code of 1873, as amended by chapter 16 of the laws of the Twenty-fourth General Assembly of the State of Iowa, relating to the bonding of county indebtedness.

JULIAN PHELPS,
Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day examined and sent to the Governor for his approval:

Senate file No. 245, an act to amend chapter 13, title 22, of the Code, in relation to the State library, as amended by chapter 13, Nineteenth General Assembly, and chapter 191, Twentieth General Assembly.

Senate file No. 348, an act to legalize the election for the issuance of bonds to erect water works, held in the incorporated town of Prairie City, Jasper county, Iowa.

Senate file No. 259, an act to legalize the levy of certain taxes for certain years in Dickinson county, Iowa.

Senate file No. 62, an act authorizing the board of supervisors of Marshall county, Iowa, to locate a highway on lands owned by the State.

JULIAN PHELPS,
Chairman.

Senator Reynolds, from the Committee on Mines and Mining, submitted the following report:

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred Senate file No. 258, a bill for an act to amend chapter 54, laws of 1888, relating to weighing of coal at mines, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

E. M. REYNOLDS,
Chairman.

Ordered passed on file.

Senator Brower, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 376, a bill for an act regulating the service of railways as regards the posting of bulletins showing the time of the arrival and departure of trains for public information, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

N. V. BROWER,
Chairman.

Ordered passed on file.

Senator Harsh, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 152, a bill for an act to tax mineral estates when the surface and such mineral estates are owned by different parties, beg leave to report that they have had the same under consideration, and has prepared a substitute therefor and instructed me to report the same back to the Senate with the recommendation that the substitute be adopted, and that when adopted it do pass.

J. B. HARSH.
Chairman.

Ordered passed on file.

Senator Perry asked that the further consideration of Senate file No. 7 as it now stands on reconsideration by Senator Finn's motion, be laid over until Tuesday morning and retain its place on the calendar.

It was so ordered.

Senators Green and Upton were granted a leave of absence until Tuesday.

Senator Rowen was granted a leave of absence.

Senate file No. 276, a bill for an act to amend section 4715 of the Code of 1873, relative to the payment of costs in bastardy cases, with report of committee recommending passage, was taken up, considered, and the report of the committee was read.

Senator Jamison moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Downey, Eaton, Ellis, Everall, Finn, Garst, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Jamison, Kelly, Kilburn, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Turner, Vale, Waterman, Yeomans—39.

The nays were:

None.

Absent or not voting:

Senators Brower, Dent, Funk, Gorrell, Hurst, Jewett, Lehfeldt, Perry, Rowen, Terry, Upton—11.

So the bill passed and the title was agreed to.

Senate file No. 119, a bill for an act to require the use of fire escapes in certain buildings, with report of committee recommending amendments and when amended that the same do pass, was taken up, considered, and the report of the committee adopted.

Senator Harper moved that the rule be suspended, and the bill be

considered engrossed and read a third time now which motion prevailed, and the bill was read a third time.

Senator Vale in the chair.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Everall, Finn, Garst, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Kilburn, Lewis, Oleson, Penrose, Perry, Phelps, Rea, Reynolds, Rigger, Terry, Turner, Vale, Waterman, Yeomans—37.

The nays were:

Senator Perrin—1.

Absent or not voting:

Senators Brower, Carpenter, Funk, Gorrell, Green, Jewett, Kelly, Lehfelddt, Mattoon, Palmer, Rowen, Upton—12.

So the bill passed and the title was agreed to.

House file No. 116, a bill for an act to amend section 2 of chapter 38, of the laws of 1882, and authorizing cities of the second class having not less than five thousand inhabitants, as shown by the last legally authorized census, to levy a special tax for the creation of a general paving fund to pay the cost of paving streets and alley intersections, with report of committee recommending amendments, and when so amended that the same do pass, was taken up, considered, and the report of the committee adopted.

Senator Conaway moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Everall, Garst, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Kelly, Lewis, Mattoon, Oleson, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Terry, Turner, Vale, Waterman, Yeomans—40.

The nays were:

None.

Absent or not voting:

Senators Finn, Funk, Gorrell, Green, Jewett, Kilburn, Palmer, Rowen, Upton—10.

So the bill passed and the title was agreed to.

Senate file No. 164, a bill for an act to repeal chapter 21, acts of the Twentieth General Assembly, chapter 140, laws of the Twenty-first General Assembly, chapter 56, acts of the Twenty-second General Assembly, chapter 53, acts of the Twenty-second General Assembly, chapter 43, acts of the Twenty-first Genera

Assembly chapter 46, acts of the Twenty-third General Assembly, and section 2, chapter 54, acts of the Twenty-second General Assembly, and to enact a substitute in lieu thereof, relating to the management of mines, with report of committee recommending amendments, and when amended that the same do pass, was taken up, considered, and the report of the committee adopted.

Senator Rikken moved that the amendments recommended by the committee in section one be concurred in.

Carried.

Senator Rikken offered the following amendment to section three, and moved its adoption:

Insert the following, after the word "day" in the seventh line of section three, "for the time actually employed in the discharge of their duties."

Adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Substitute for Senate file No. 4, a bill for an act limiting the compensation of justices and constables and providing for reports to the county board of supervisors, and repealing section 592 of the Code of Iowa.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

House file No. 72, a bill for an act to provide for State depositories for public moneys and regulate deposits therein.

Also House file No. 228, a bill for an act to prevent the use of imitation butter or imitation cheese in charitable, penal and educational institutions of Iowa.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution, in which the concurrence of the House was asked;

Relative to authorizing the executive council to make necessary arrangements for lighting the Senate and House chambers by electricity before the convening of the Twenty-sixth General Assembly.

I. K. WILSON,
Chief Clerk.

Senator Waterman offered the following amendment:

Amend section 9 by striking out the words beginning with the word "and," in the twenty-fourth line, and ending with the word "inspector," in the twenty-fifth line.

Adopted.

Senator Bishop offered the following amendment:

Strike out the words and figures "seven hundred and fifty (750)," in the third line of section 11, and insert the words and figures, "five hundred (500)."

Adopted.

Senator Waterman offered the following amendment:

Strike out the words "office of such," in the fourth line of section fourteen.

Adopted.

Senator Rigger offered the following amendment:

Strike out the words "water and," in the ninth line, and insert after the word "roof," in the same line, the words "and unobstructed by water."

Adopted.

Senator Waterman offered the following amendment:

In line seventeen of section seventeen strike out the word "forty," and insert in its stead the word "sixty."

Lost.

Senator Andrews offered the following amendment:

Amend section 17 by transferring the word "immediately," in the twelfth line and inserting same after the word "prosecuted," in the eleventh line.

Adopted.

Senator Rigger offered the following amendment:

Insert after the word, "service," in twelfth line, the words, "if found inadequate by the mine inspector."

Adopted.

Senator Carpenter offered the following amendment:

Strike out section 18 and substitute the following: "Section 18. The owner, agent or operator of each coal mine shall provide such means of communication between the top and bottom of the shaft or slope, and such other safety devices for the machinery and hoisting apparatus, as shall be directed from time to time by the mine inspector."

Lost.

President Dungan in the chair.

Senator Rigger offered the following amendment:

Insert after the words "traveling roads," in the eighth line of section 21, the following: "When there is not at least two feet of space between the side of the loaded pit car and the wall of the entry."

Adopted.

The Governor's private secretary appeared and presented a

MESSAGE FROM THE GOVERNOR.

STATE OF IOWA,
EXECUTIVE OFFICE. }
DES MOINES, March 24, 1894. }

MR. PRESIDENT—I am instructed by the governor to inform you that he has

approved, signed and deposited in the office of the secretary of State, the following bills:

Senate file No. 91, an act providing for a general levy for State purposes

Substitute for Senate file No. 155, an act to make further provision for the care of insane persons.

Senate file No. 125, an act to amend section 289 of the Code of 1873, as subsequently amended.

Senate file No. 305, an act to repeal section 3 of chapter 124 of the acts of the Twenty-third General Assembly, relating to the construction of the Independence & Rush Park railway across lands of the State.

Substitute for Senate file No. 12, an act to authorize certain cities of the first class to purchase and condemn land for street purposes within said cities where said streets cross ravines, or where it is necessary to widen the street to construct embankments.

Senate file No. 267, an act to legalize the official acts of J. C. Myers as mayor of the incorporated town of Fairbank, Iowa.

Senate file No. 268, an act to legalize the acts and proceedings of the city of Clinton, Iowa.

Senate file No. 336, an act to legalize an election held for officers of the incorporated town of Goodell, Hancock county, Iowa, and also to legalize ordinances passed by said town.

Senate file No. 310, an act to legalize the assessment and collection of taxes under the provisions of chapter 1 of the acts of the Twenty-fourth General Assembly.

Senate file No. 193, an act to legalize the assessment, levy and collection of taxes for library purposes in certain cities of the first class.

Senate file No. 344, an act to legalize the incorporation of the town of Beaman, Grundy county, Iowa, the election of its officers, and all acts done, and the ordinances passed by the council of said town.

Senate file No. 70, an act to legalize the ordinances passed by the incorporated town of Coon Rapids, Carroll county, Iowa.

Senate file No. 284, an act to legalize the incorporation of St. Charles, Madison county, Iowa, and all acts of the council passed since said town was incorporated.

Senate file No. 307, an act to legalize the incorporation of the town of Conrad, Grundy county, Iowa, the election of its officers, and all the acts done, and the ordinances passed by the council of said town.

W. S. RICHARDS,

Private Secretary.

Senator Waterman offered the following amendment:

Amending section 21 by striking out the word "feet," in line 9, to and including the word "white" in same line.

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Everall, Finn, Harmon, Rea, Waterman—5.

The nays were:

Senators Baldwin, Cheshire, Craig, Harsh, Lewis, Palmer, Perrin, Perry, Reynolds, Rigger, Turner, Vale, Yeomans—13.

Absent or not voting:

Senators Andrews, Bishop, Boardman, Brower, Carpenter, Chantry, Conaway, Dent, Downey, Eaton, Ellis, Funk, Garst, Gorrell, Green, Groneweg, Harper, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Mattoon, Oleson, Penrose, Phelps, Rowen, Terry, Upton—31.

Senator Waterman offered the following amendment to section twenty-two:

Amend section twenty-two by inserting after first "or" in line ten the word 'willful'; also insert the same word after the word 'such' in thirteenth line.

Adopted.

Senator Yeomans moved that when the Senate do adjourn it be until 2:30 P. M. Monday.

Upon this the yeas and nays were demanded.

On the question, "Shall the Senate, when it adjourns, adjourn to Monday at 2:30 P. M.?" the yeas were:

Senators Andrews, Baldwin, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Ellis, Everall, Finn, Groneweg, Harmon, Harper, Henderson, Hipwell, Jamison, Lewis, Mattoon, Oleson, Perry, Phelps, Turner, Yeomans—26.

The nays were:

Senators Harsh, Kelly, Kilburn, Palmer, Penrose, Perrin, Rea, Rikken, Vale—9.

Absent or not voting:

Senators Bishop, Boardman, Eaton, Funk, Garst, Gorrell, Green, Hurst, Jewett, Lehfelddt, Reynolds, Rowen, Terry, Upton, Waterman—15.

So the Senate agreed to the adjournment.

Senator Harsh moved that further consideration of this bill be postponed, and that it retain its place on the calendar.

Senator Penrose moved that House messages be taken up.

Carried.

HOUSE MESSAGES.

House file No. 72, a bill for an act to provide for State depositories for public moneys and regulate deposits therein, was read first and second times and placed on calendar.

House file No. 228, a bill for an act to prevent the use of imitation butter or imitation cheese in charitable, penal and educational institutions of Iowa, was read first and second times and placed on calendar.

Substitute for Senate file No. 152 was read first and second times and passed on file.

House file No. 386, a bill for an act to provide for the training school of the State normal school, was taken up.

Senator Rea moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Ellis, Everall, Finn, Garst, Groneweg, Harmon, Harper, Harsh, Henderson, Jamison, Kelly, Kilburn, Lehfeldt, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigen, Terry, Turner, Vale—34.

The nays were:

None.

Absent or not voting:

Senators Baldwin, Bishop, Boardman, Brower, Eaton, Funk, Gorrell, Green, Hipwell, Hurst, Jewett, Lehfeldt, Mattoon, Rowen, Upton, Waterman, Yeomans—16.

So the bill passed and the title was agreed to.

The journal of yesterday was read, corrected and approved.

The President announced that he had signed the following bills in the presence of the Senate:

Senate files Nos. 62, 259, 348, 245, 42, 64, 143 and 309.

WARREN S. DUNGAN.

Lieutenant-Governor.

Senator Kelly moved that the Senate do now adjourn.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Monday, March 26, 1894. }

Senate met pursuant to adjournment at 2:30 o'clock p. m., and was called to order by President Dungan.

Prayer was offered by Rev. Wm. J. Laws, of Des Moines.

Senator Baldwin presented petitions from citizens of Cascade, Dubuque and Luxemburg, Iowa, asking amendments to Senate file No. 28.

Referred to Committee on Ways and Means.

Senator Boardman presented a petition from thirty-nine citizens of Hamilton county, asking passage of Senate file No. 221.

Referred to Committee on Agriculture.

Senator Downey presented a petition from citizens of Keokuk, protesting against the passage of any law tending to limit the jurisdiction of the superior courts.

Referred to Committee on Judiciary.

Senator Rea presented a petition from E. G. Myer and other registered pharmacists of Grundy county protesting against passage of Senate file No. 337.

Referred to Committee on Public Health.

Senator Perrin presented a petition from C. D. Merriam and 109 other citizens of Charles City asking for the repeal of the hunters' trespass bill.

Referred to Committee on Fish and Game.

INTRODUCTION OF BILLS.

By Senator Rea, Senate file No. 404, a bill for an act to establish the industrial home for the deaf, and providing for its erection and government.

Read first and second times and referred to Committee on Charitable Institutions.

By special committee, Senator Brower, chairman, Senate file No. 405, a bill for an act to repeal section 2, chapter 70, acts of the Twenty-fourth General Assembly of the State of Iowa, to increase and continue in force the commission, and to appropriate money to carry out.

the provisions of the law in reference to the erection of the State Soldiers' Monument.

Read first and second times and passed on file.

Senator Carpenter offered the following resolution:

Resolved, That the President of the Senate appoint a Sifting Committee consisting of nine members, and when so appointed, all bills other than appropriation bills be hereafter referred to said committee and that no bills, except appropriation bills, be hereafter considered unless favorably reported by said committee; said reported bills to be taken up by the Senate for consideration in the order in which they are reported.

Laid over under the rule.

The governor's private secretary appeared and delivered

A MESSAGE FROM THE GOVERNOR.

STATE OF IOWA,
EXECUTIVE OFFICE,
March 26, 1894. }

MR. PRESIDENT—I am directed by the governor to deliver to your honorable body a communication in writing.

W. S. RICHARDS.
Private Secretary.

STATE OF IOWA,
EXECUTIVE OFFICE,
DES MOINES, March 26, 1894. }

To the Members of the Twenty-fifth General Assembly:

GENTLEMEN—I take great pleasure in reminding the Senators and members of the House of Representatives of the fact that we have living with us as a citizen of the State of Iowa, a gentleman, who for more than two-thirds of a century has made his home with us. He is a native of Indiana, but shortly after he attained his majority he came to this part of the country, which was then known as the "Far West," and soon enjoyed the honor and distinction of serving as a delegate in Congress from the Territory of Michigan, his district embracing an area stretching from Lake Huron to the Missouri river.

He introduced a bill in Congress which organized the State of Wisconsin and gave that great state its name. Afterwards it was largely through his efforts that the State of Minnesota was organized, and to him was accorded the honor of naming its first territorial governor.

At his earnest solicitation the territory of Iowa was organized, and he also gave to it its name, and upon its admission as a state was elected as the first United States senator from Iowa. He suggested the names of Clayton, Calhoun, Clay, Buchanan, Jackson, Fremont, Benton, Davis and Polk to be given to certain counties of Iowa in honor of the eminent statesmen of that day, many of whom were his personal friends and colleagues, thereby giving evidence of the friendship which he entertained towards these great national characters, whose names and memories he thus wished to perpetuate. The county of Linn he named in honor of Senator Linn of Missouri, bestowing that name upon one of his daughters at the same time.

This distinguished citizen was a drummer boy in the War of 1812, and was a prominent character in the Black Hawk war. He was at one time an equal part-

ner with Daniel Webster, which firm entered lands from the government now occupied by the cities of Madison, Wisconsin, and Sioux City, Iowa. He was an intimate and personal friend of Andrew Jackson, and in 1823 he acted as special escort through the state of Kentucky to the General when on his way to Washington to take his seat in congress. In 1824, by resolution of congress, he was made a member of the reception committee to meet Lafayette when that illustrious patriot visited this country.

■ The gentleman to whom I refer, the Hon. George W. Jones, is now living in the city of Dubuque, Iowa, strong and vigorous in health, and is looking forward with pleasant anticipations to his ninetieth birthday, which will occur on the 12th day of April, next.

I would suggest as an appropriate recognition of the services rendered by this eminent citizen of Iowa, that an invitation be extended him to visit the capital of his State on this occasion of his nintieth birthday, and that he be received by the members of the Twenty-fifth General Assembly in joint convention.

FRANK D. JACKSON,
Governor.

Senator Perry introduced the following concurrent resolution:

CONCURRENT RESOLUTION RELATIVE TO THE NINETIETH BIRTHDAY OF GEN.
GEO. W. JONES.

WHEREAS, In view of the special message this day received from the Governor of the State, relating to the ninetieth birthday of Gen. George W. Jones, our oldest living pioneer, law-maker and statesman, and the one who gave to Iowa her name, and believing it appropriate for this General Assembly to give the event proper recognition, therefore,

Be it resolved by the Senate, the House concurring, That General Jones be and is hereby most respectfully invited to visit this, our Capital City, and be received by the General Assembly on the occasion of his birthday, the 12th of April next, if it shall then be in session; if not, then by the Governor and State officers in such manner as they may deem most appropriate for the occasion.

Resolved, That the Governor is hereby respectfully requested to transmit to the one who is the subject of these resolutions an engrossed copy thereof at his home in Dubuque, Iowa.

Senator Brower offered the following amendment:

Amend by striking out the words "the 12th day of April," and substitute therefor "the 4th day of April," and further, that a committee of two from the Senate and three from the House be appointed to extend the invitation to our distinguished citizen, herein agreed upon.

Amendment accepted.

Resolution adopted.

The President appointed Senators Brower and Perry as such committee on part of the Senate.

Senators Craig, Phelps, Funk, Harper, Turner and Rowen were excused until Tuesday.

REPORTS OF STANDING COMMITTEES.

Senator Harmon, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 182, a bill for an act to amend section 857 of the Code, relating to the collection of taxes on personal property, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 325, a bill for an act to prevent fire insurance companies from stipulating against liability for representations and statements made by their authorized agents, beg leave to report that they have had the same under consideration and a majority of the committee have instructed me to report the same back to the Senate without recommendation.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 136, a bill for an act to provide for the sale and conveyance of lands purchased by counties under foreclosure of school fund mortgages, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 365, a bill for an act amendatory of chapter 8, relating to the duties of the county surveyor, requiring record and a certified duplicate of all plats and field notes to be filed in the office of the county auditor, beg leave to report that they had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 364, a bill for an act relating to abstractors of title of real estate requiring license and bond, and the payment of specified fees and the keeping of an abstract record by the licensee; also regulating abstract fees to be charged and requiring the attachment of certificate to abstracts and making such licensed abstractors of title county officers, and also for the providing for the keeping of a licensed abstractor's record by the county auditor of each county, and making all violations of this

act a misdemeanor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 393, a bill for an act to secure the settlement of all matters of law and equity which might be subject of civil action by arbitration, as hereinafter provided where the amount in controversy does not exceed three hundred dollars, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

M. W. HARMON,
Chairman.

Ordered passed on file.

Senator Brower, from the Special Joint Committee appointed to consider the report of the Iowa soldiers and sailors monument, submitted the following report:

MR. PRESIDENT—Your Committee appointed under a concurrent resolution of the two Houses of this General Assembly to consider the report of the Iowa Soldiers' and Sailors' Monument Commission and as to the expediency of changing the site selected for this monument, with instructions to report their conclusions by bill or otherwise, beg leave to report that they have performed their duty.

First.—After a careful investigation of the site fixed by law for the proposed monument, and an investigation of the other proposed sites, we report in favor of a change as provided in the accompanying "bill for an act," which bill is included as a part of our report.

Second.—That owing to the advanced age and ill health of some members of the Commission, we recommend that three members be added to said Commission, one of whom shall be appointed by the Senate and two by the House, and when so appointed the names of said appointees shall be inserted in section 3 of the bill herewith presented.

All of which is respectfully submitted.

W. B. BELE,
W. B. MARTIN,
D. NICOLL,
On the part of the House.
N. V. BROWER,
M. W. HARMON,
JNO. EVERALL,
On the part of the Senate.

Senator Lewis, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 110, a bill for an act making appropriations for the Institute for Feeble Minded Children at Glenwood, Iowa, beg leave to report that they have

had the same under consideration, have prepared a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that it be adopted, and when adopted, that it do pass.

L. W. LEWIS,
Chairman

Substitute read first and second times and passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 226, a bill for an act making appropriation for the penitentiary at Anamosa, Iowa, beg leave to report that they had the same under consideration, have prepared a substitute therefor, and instructed me to report the same back to the Senate with the recommendation that it be adopted, and when adopted that it do pass.

L. W. LEWIS,
Chairman.

Substitute read first and second times and passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriation, to whom was referred Senate file No. 202, a bill for an act making appropriations for the Soldiers' Home at Marshalltown, beg leave to report that they have had the same under consideration, have prepared a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that it be adopted, and when adopted that it do pass.

L. W. LEWIS,
Chairman.

Substitute read first and second times and passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to which was referred Senate file No. 187, a bill for an act making an appropriation for the penitentiary at Fort Madison, beg leave to report that they have had the same under consideration, have prepared a substitute thereof, and instructed me to report the same back to the Senate with the recommendation that it be adopted and when adopted that it do pass.

L. W. LEWIS,
Chairman.

Substitute read first and second times and passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 218 a bill for an act making an appropriation for the Industrial Home for the Blind at Knoxville, beg leave to report that they have had the same under consideration, have prepared a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that it be adopted, and when adopted that it do pass.

L. W. LEWIS,
Chairman.

Substitute read first and second times and passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 120, a bill for an act making appropriations for the Iowa Soldiers' Orphans Home at Davenport, Iowa, beg leave to report that they have had the same under consideration, have prepared a substitute therefor and have instructed me to report the same back to the Senate with the recommendation that it be adopted, and when adopted that it do pass.

L. W. LEWIS,
Chairman.

Substitute read first and second times and passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to which was referred Senate file No. 200, a bill for an act for an appropriation for the Industrial School at Eldora, beg leave to report that it has had the same under consideration, has proposed a substitute therefor, and instructed me to report the same back to the Senate, with the recommendation that it be adopted and when adopted that it do pass.

L. W. LEWIS,
Chairman.

Substitute read first and second times and passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to which was referred Senate file No. 213, a bill for an act making appropriations for the Iowa Industrial School, girls' department, at Mitchellville, Iowa, beg leave to report that it has had the same under consideration, has prepared a substitute therefor, and instructed me to report the same back to the Senate with the recommendation that it be adopted, and when adopted that it do pass.

L. W. LEWIS,
Chairman.

Substitute read first and second times and passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to which was referred Senate file No. 41, a bill for an act making appropriations to the Iowa State Agricultural College, beg leave to report that it has had the same under consideration, has prepared a substitute therefor and instructed me to report the same back to the Senate with the recommendation that it be adopted, and when adopted that it do pass.

L. W. LEWIS,
Chairman.

Substitute read first and second times and passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 150, a bill for an act for an appropriation for the better support of the State University in the several departments and chairs, and in aid of the income fund, and for the development of the institution, beg leave to report that they have had the same under consideration, have prepared a substitute therefor,

and have instructed me to report the same back to the Senate with the recommendation that it be adopted, and when adopted that it do pass.

L. W. LEWIS,
Chairman.

Substitute read first and second times and passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 123, a bill for an act making an appropriation for the State Normal School at Cedar Falls, Iowa, and providing for a new building and for additional endowment and contingent funds for said school, beg leave to report that they have had the same under consideration, have prepared a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that it be adopted, and when adopted, that it do pass.

L. W. LEWIS,
Chairman.

Substitute read first and second times and passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 86, a bill for an act making an appropriation for the Iowa Hospital for the Insane at Independence, beg leave to report that they have had the same under consideration, have prepared a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that it be adopted, and when adopted that it do pass.

L. W. LEWIS,
Chairman.

Substitute read first and second times and passed on file.

Also:

MR. PRESIDENT—Your Committee on appropriations, to whom was referred Senate file No. 50, a bill for an act making appropriations for the Hospital for the Insane at Mt. Pleasant, Iowa, beg leave to report that they have had the same under consideration, have prepared a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that it be adopted, and when adopted that it do pass.

L. W. LEWIS,
Chairman.

Substitute read first and second times and passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations to whom was referred Senate file No. 175, a bill for an act making an appropriation for the Hospital for the Insane at Clarinda, Iowa, beg leave to report that they have had the same under consideration, have prepared a substitute therefor and have instructed me to report the same back to the Senate with the recommendation that it be adopted and when adopted that it do pass.

L. W. LEWIS,
Chairman.

Substitute read first and second times and passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 217, a bill for an act making appropriations for the College for the Blind at Vinton, Iowa, beg leave to report that they have had the same under consideration, have prepared a substitute therefor, and instructed me to report the same back to the Senate with the recommendation that it be adopted and when so adopted that it do pass.

L. W. LEWIS,
Chairman.

Substitute read first and second times and passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to which was referred Senate file No. 181, a bill for an act making appropriations for the Iowa School for the Deaf at Council Bluffs, Iowa, beg leave to report that it has had the same under consideration, has prepared a substitute therefor, and instructed me to report the same back to the Senate with the recommendation that it be adopted, and when adopted that it do pass.

L. W. LEWIS,
Chairman.

Substitute read first and second times and passed on file.

Senator Harmon, from Committee on Judiciary, asked that House file No. 39, be referred to Committee on Highways.

It was so ordered.

Senator Finn asked to have 200 extra copies of Senate file No. 24 printed.

It was so ordered.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 17, a bill for an act to provide for limiting the compensation of sheriffs and their deputies.

I. K. WILSON,
Chief Clerk.

Also.

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 220, a bill for an act to reimburse the members of the Second and Third Iowa infantry for "gray" uniforms purchased during the war.

House file No. 302, a bill for an act to amend sections 515, 516 and 532 of the Code of 1873 in relation to the appointment of marshals of cities of the second class and incorporated towns, their deputies and police.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 4, a bill for an act to repeal sections 1, 2, 3, 4, 5, 8, 10 and 15 of chapter 52 of the acts Twenty-first General Assembly, and to repeal section 6 of chapter 52 of the acts of the Twenty-first General Assembly, as amended by Senate file No. 51 of the Twenty-fifth General Assembly, and approved February 12, 1894, and to enact a substitute therefor, to prohibit the manufacture, sale, keeping for sale and fraudulent use substance designed as imitation butter and cheese, and to regulate the manufacture, sale and keeping for sale of any substances designed to be used as a substitute for butter and cheese.

I. K. WILSON.
Chief Clerk.

UNFINISHED BUSINESS.

Consideration of Senate file No. 164 was resumed.

Senator Rigien offered the following amendment:

Amend section 25 by adding the following: "And in all coal mines where, in the opinion of the mine inspector, dust explosions are possible, no dust shall be allowed to accumulate along the entries, the intake alley-ways shall be kept as free from dust as possible. The use of drilling dust for tamping shall be strictly prohibited, and no hole that has blown the tamping can be recharged and fired again."

Adopted.

Senator Waterman offered the following amendment:

Amend by adding to section 25: "That only pure animal or vegetable oil or other material shall be used for illuminating purposes in any coal mine in this State. If any miner or employe in any mine, or employe of any mine operator or mine owner, shall knowingly use or permit to be used for illuminating purposes in any coal mine in this State any adulterated or mixed or compound oil, he shall upon conviction thereof, be fined not less than five dollars nor more than twenty-five dollars for each and every offense.

It shall be the duty of the State Mine Inspector, whenever he has reason to believe that such oil is being used, to take samples of the same and have them tested or analyzed, and if they are found to be impure, he shall make complaint to the county attorney, who shall forthwith commence proceedings against such offender in any court of competent jurisdiction.

For the purposes of this act the State board of health shall fix a standard of purity of oil and other material, and regulations for testing said oil, and said standard and regulations when so fixed shall be recognized in all courts in this State.

Adopted.

Senator Rikken offered the following amendment:

Add to section 28 the following: "No owner, operator or agent of any coal mine shall attempt in any way to influence, direct or control any check weighman in the discharge of his duties, nor shall the owner, operator or agent of any coal mine refuse permission to any one chosen as check weighman to perform his duties, and in all cases of complaint between the

owner, operator or agent and the check weighman the matter shall be brought before the Mine Inspector of the district in which the mine is located, where evidence furnished by both parties shall be heard, upon which evidence said mine inspector shall determine the justice of the case, and if it is found that the check weighman is partial or otherwise incompetent, the miners working in such mine shall be required to choose another another check weighman."

Senator Carpenter offered the following substitute for Senator Rigger's amendment to section 28:

Strike out substitute for section 28, and insert the following:

"Section 28. The miners of each mine may appoint an agent to act as checkweighman, and such agent shall have the right during working hours, of access to the scales used, and to test them; to observe the weighing and measuring of the coal mined, and to inspect and transcribe the record of weights or measures of coal mined from day to day.

Lost.

The question being on the adoption of the amendment offered by Senator Rigger.

Adopted.

Senator Rigger offered the following amendment:

Strike out after the word, "dollars," in the fourth line of section 31, the following: "or imprisonment in the county jail not exceeding six months."

Adopted.

Senator Bishop offered the following amendment:

Insert after the word "mines," in the second line of section 1 the words, "not more than two of whom shall be members of the same political party."

Lost.

Senator Kelly offered the following amendment:

Add after the word "assembly," in the fifth line of section 33, the following: and all acts or parts of acts inconsistent herewith."

Adopted.

Senator Rigger offered the following amendment to section 7:

Amend section 7 by inserting after the word "act" in line three the words "or who shall have been a mine boss for ten years."

Adopted.

Senator Lewis offered the following amendment to section 7:

Insert between the words "examination" and "but" in line 4, section 7, the following words: "Upon written application setting forth such qualifications under oath of the applicant, verified by affidavit of two citizens of the county wherein such applicant resides."

Adopted.

Senator Finn offered the following amendment:

Amend section 15 by striking out the word "five" in the eighteenth line of the printed bill, and inserting the word "ten" in lieu thereof.

Adopted.

Senator Waterman offered the following amendment:

Amend section 15 by inserting after the word "mine" in the twelfth line the following: "*Provided*, that in any mine over seventy-five feet in depth, air shafts used as escapes, where fans are employed for ventilation, may be provided with appliances for hoisting and lowering men in lieu of stairs; but such appliances shall consist of a cage and engine which shall be kept ready for immediate use."

Adopted.

Senator Cheshire offered the following substitute to section 32:

SECTION 32. The county attorney of any county shall, upon complaint being made by the mine inspector, institute proceedings to punish any person, firm or corporation charged with the violation of the provisions of this act.

Adopted.

Senator Reynolds offered the following amendment to section 17:

Insert in seventeenth line of section 17, after the word "current," the words: "Unless specially permitted by the Mine Inspector where powder is not used in blasting coal."

Lost.

Senator Waterman offered the following amendment to section 26:

Amend by adding to said section "on which payment for wages is based."

Adopted.

Senator Rigger offered the following amendment to section 31:

Strike out the word "willfully" in line one.

Lost.

Senator Rigger moved the bill be engrossed and read a third time to-morrow.

Carried.

By unanimous consent Senate file No 355, a bill for an act to establish a school of mines for the State of Iowa, with report of committee recommending amendments and when so amended that the same do pass, was taken up, considered and the report of the committee adopted.

Senator Waterman moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Dent, Downey, Everall, Garst,

Groneweg, Harmon, Harsh, Henderson, Hipwell, Jamison, Kelly, Kilburn, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Rea, Reynolds, Riggen, Vale, Waterman—32.

The nays were:

None.

Absent or not voting:

Senators Craig, Eaton, Ellis, Finn, Funk, Gorrell, Green, Harper, Hurst, Jewett, Lehfelddt, Mattoon, Phelps, Rowen, Terry, Turner, Upton, Yeomans—18.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 146, a bill for an act for the better protection of persons manufacturing, bottling or selling soda, mineral, or areated waters, cider, milk, cream, or other lawful beverages, owning or using boxes, bottles, casks, kegs or barrels.

Senate file No. 128, a bill for an act to provide a room for the Grand Army of the Republic, department of Iowa, in the Capitol building, and for an appropriation therefor.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 22, a bill for an act to regulate the liability of insurers against loss or damage by fire, lightning, tornadoes or wind storms.

I. K. WILSON,
Chief Clerk.

Senator Cheshire moved that House messages be taken up for consideration.

Carried.

HOUSE MESSAGES.

House file No. 4, a bill for an act to repeal sections 1, 2, 3, 4, 5, 8, 10 and 15, of chapter 52, of the acts of the Twenty-first General Assembly, and to repeal section 6, of chapter 52, of the acts of the Twenty-first General Assembly as amended by Senate file No. 51 of the Twenty-fifth General Assembly and approved February 12, 1894, and to enact substitutes therefor, to prohibit the manufacture, sale, keeping for sale and fraudulent use of substances designed as imitation butter and cheese, and to regulate the manufacture, sale, and keeping for sale of any substances designed to be used as a substitute for butter and cheese, was read first and second times and passed on file.

House file No. 220, a bill for an act to reimburse the members of Second and Third Iowa Infantry for "grey" uniforms purchased during the war, was read first and second times and referred to Committee on Claims.

House file No. 302, a bill for an act to amend sections 515, 516 and 532 of the Code of 1873 in relation to the appointment of marshals of cities of the second class and incorporated towns, their deputies and police, was read first and second times and referred to Committee on Claims.

House file No. 22, a bill for an act to regulate the liability of insurers against loss or damage by fire, lightning, tornadoes, or wind storms, was read first and second times. Senator Reynolds asked that it be passed on file but it was referred to Committee on Insurance.

Saturday's journal was read, corrected and approved.

Senator Dent moved that the Senate do now adjourn.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, March 27, 1894. }

Senate met in regular session at 9 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. I. E. Pearson, of Keokuk county.

PETITIONS AND MEMORIALS.

Senator Rowen presented a petition from Rev. B. S. Taylor, Des Moines, Iowa, asking amendments to Senate file No. 28.

Referred to Committee on Ways and Means.

Senator Chantry presented a petition from E. W. Williams, of Glenwood, Iowa, on same subject.

Same reference.

Senator Waterman presented petitions from citizens of Ottumwa, Iowa, on same subject.

Same reference.

Also:

A petition from A. W. Lee and other citizens of Ottumwa, asking for the repeal of the hunters' trespass bill.

Referred to Committee on Agriculture.

Senator Harsh presented a petition from E. P. Howard and other citizens of Lamoni, Iowa, asking for the formation of a county board of guardians for children, with form of bill attached.

Referred to Committee on Charitable Institutions.

Senator Phelps presented a petition from citizens of Cass county, Iowa, asking the repeal of the hunters' trespass law.

Referred to Committee on Agriculture.

Senator Rowen presented petition from citizens of Belmond, Eagle Grove, Jewell and Eldora, Iowa, asking the passage of Senate file No. 103 and House file No. 187, relative to building and loan associations.

Referred to Committee on Banks and Banking.

Also:

A petition from citizens of Henry county, asking passage of a law raising the age of consent.

Referred to Committee on Public Health.

Senator Finn presented a petition from Frank Greeley and 130 other citizens of Taylor county asking passage of a law placing textbooks and their publication under State control.

Referred to Committee on Schools.

Senator Bishop presented a petition from members of the Iowa Protective Insurance League asking certain insurance legislation.

Referred to Committee on Insurance.

Senators Turner, Rowen, Lehfeldt and Harper were granted leave of absence until Wednesday.

Senator Harsh offered the following resolution and moved its adoption:

Resolved, That Senate file No. 340 known as the revenue bill and reported for passage by Committee on Ways and Means, be set down for consideration at 10 o'clock A. M., Thursday, March 29, 1894, and for that purpose rules be suspended and a special order made accordingly.

Objection being made by Senator Finn it went over under the rule.

Senator Funk asked that House Joint Resolution No. 12 be referred to Committee on Constitutional Amendments and Suffrage.

It was so ordered.

Senator Ellis moved that his motion to reconsider the vote by which House file No. 495 passed the Senate, be taken up for consideration.

Carried.

The question being on the motion to reconsider the vote by which House file No. 495 passed the Senate.

Upon this the yeas and nays were demanded.

On the question, "Shall the vote by which House file No. 495 passed the Senate be reconsidered?" the yeas were:

Senators Baldwin, Ellis, Groneweg—3.

The nays were:

Senators Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Everall, Finn, Garst, Gorrell, Harmon, Harsh, Henderson, Hipwell, Jewett, Kilburn, Lewis, Mattoon, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Upton, Vale, Waterman—31.

Absent or not voting:

Senators Andrews, Bishop, Boardman, Brower, Funk, Green, Harper, Hurst, Jamison, Kelly, Lehfeldt, Oleson, Rowen, Terry, Turner, Yeomans—16.

So the motion to reconsider was lost.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

House file No. 52, a bill for an act to amend chapter 58, acts of the Twenty-fourth General Assembly, to increase the efficiency of farmers institutes.

House file No 208, a bill for an act to amend section 1, chapter 3, acts of the Seventeenth General assembly.

House file No. 239, a bill for an act to amend section 2961 of the Code, in relation to the action to recover on bond of attachment.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 58, a bill for an act to amend section 5, chapter 70, laws of the Twentieth General Assembly, as amended by chapter 42, laws of the Twenty-second General Assembly, relating to damage done by dogs.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following joint resolution, in which the concurrence of the Senate is asked:

Joint Resolution No. 13, providing for the publication and distribution of House file No. 537.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution in which the concurrence of the House was asked:

Relative to inviting General Jones to visit the Capital City on the 4th day of April and be received by the General Assembly.

I. K. WILSON,
Chief Clerk.

Senator Kelly offered the following resolution and moved its adoption:

Resolved, That the appropriation bills having been reported, it shall be in order for the chairman of the committee to call up such bills for consideration at any time, and all orders, special or otherwise, shall give way to the consideration of such appropriation bills, and House messages with appropriation bills.

Objection being made it was laid over under the rule.

Senator Andrews introduced the following joint resolution:

JOINT RESOLUTION NO. 14.

Joint Resolution appointing commissioners for the promotion of uniformity of legislation in the United States.

Be it resolved by the General Assembly of the State of Iowa, That the commission

to revise and codify the laws of Iowa heretofore created by this General Assembly, is hereby authorized to appoint one or more persons, not exceeding three, to act as commissioners for Iowa to confer with similar commissioners appointed by other states of the Union, in devising and recommending to the various states for adoption, provisions to promote uniformity of legislation in the United States, and that said commission to revise and codify the laws of Iowa is hereby directed to consider any recommendations which may be made by the commissioners of the various states for the promotion of such uniformity of legislation and incorporate such recommendations into their report to the next General Assembly, so far as they may deem the same to be wise and expedient.

Read first and second times and referred to Committee on Judiciary

Senator Conaway moved that Senate file No. 36, relating to building and loan associations, be made a special order for Thursday at 10 o'clock A. M.

Upon this the yeas and nays were demanded.

On the question, "Shall Senate file No. 112 be made a special order for Thursday at 10 o'clock A. M.?" the yeas were:

Senators Baldwin, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Eaton, Ellis, Everall, Finn, Funk, Garst, Harmon, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lewis, Mattoon, Oleson, Palmer, Penrose, Perry, Phelps, Reynolds, Rikken, Vale, Waterman—33.

The nays were:

Senators Andrews, Harsh—2.

Absent or not voting:

Senators Bishop, Dent, Downey, Gorrell, Green, Groneweg, Harper, Lehfelddt, Perrin, Rea, Rowen, Terry, Turner, Upton, Yeomans—15.

So the motion to make the special order prevailed.

Senator Harsh offered the following explanation of his vote:

MR. PRESIDENT—I vote "no," not because I am opposed to consideration, but because it will interfere with my resolution on file, asking that same hour be named for consideration of Senate file No. 370, known as the "Revenue bill."

J. B. HARSH.

Senator Conaway asked leave to withdraw his motion to reconsider the vote by which Senate file No. 337 failed to pass the Senate.

Leave granted and motion withdrawn.

Senator Kelly moved that House file No. 22 be taken up for consideration now.

Upon this the yeas and nays were demanded.

On the question, "Shall House file No. 22 be taken up for consideration now?" the yeas were:

Senators Baldwin, Bishop, Chantry, Craig, Downey, Eaton, Everall, Funk, Green, Groneweg, Hipwell, Hurst, Jewett, Kelly, Lewis, Oleson, Palmer, Penrose, Perry, Reynolds, Rikken, Vale—22.

The nays were:

Senators Andrews, Boardman, Carpenter, Cheshire, Dent, Ellis, Finn, Garst, Gorrell, Harmon, Harsh, Henderson, Jamison, Kilburn, Perrin, Phelps, Rea, Upton—18.

Absent or not voting:

Senators Brower, Conaway, Harper, Lehfeldt, Mattoon, Rowen, Terry, Turner, Waterman, Yeomans—10.

The motion having failed to receive the necessary two-thirds majority was declared lost.

Senator Perry moved that House file No. 22 be recalled from the Insurance Committee and placed on the calendar.

Carried.

REPORT OF COMMITTEE.

Senator Boardman, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred House file No. 39, a bill for an act to amend section 1, chapter 200, acts of the Twentieth General Assembly and section 969 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. C. BOARDMAN,
Chairman.

Ordered passed on file.

On motion of Senator Lewis, substitute for Senate file No. 200, a bill for an appropriation for the Industrial School at Eldora, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee adopted.

Senator Lewis moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Dent, Downey, Eaton, Ellis, Everall, Funk, Gorrell, Green, Groneweg, Harmon, Harsh, Hipwell, Hurst, Jamison, Jewett, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Upton, Vale, Waterman—35.

The nays were:

None.

Absent or not voting:

Senators, Brower, Finn, Garst, Harper, Henderson, Kelly, Kilburn, Lehfeldt, Mattoon, Rigger, Rowen, Terry, Turner, Yeomans—15.

So the bill passed and the title was agreed to.

On motion of Senator Lewis, substitute for Senate file No. 217, a bill for an act making appropriations for the College for the Blind at

Vinton, Iowa, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee adopted.

Senator Lewis moved that the rule be suspended, and the bill be considered engrossed and read a third time now.

Senator Penrose moved to amend by inserting \$2,500 in lieu of \$1,500.

Lost.

The motion of Senator Lewis prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Chantry, Cheshire, Dent, Downey, Eaton, Ellis, Everall, Finn, Funk, Gorrell, Green, Groneweg, Harmon, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Terry, Upton, Vale, Waterman—39.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Conaway, Craig, Garst, Harper, Lehfeldt, Reynolds, Rigger, Rowen, Turner, Yeomans—11.

So the bill passed and the title was agreed to.

- On motion of Senator Lewis, Senate file No. 226, a bill for an act making appropriation for the penitentiary at Anamosa, Iowa, with report of committee recommending a substitute and that the same do pass was taken up, considered, and the report of the committee was read and adopted.

Senator Lewis moved that the rule be suspended, and the bill be considered engrossed and read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Dent, Downey, Eaton, Everall, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Terry, Upton, Vale, Waterman—39.

The nays were:

None.

Absent or not voting:

Senators Brower, Conaway, Craig, Ellis, Finn, Harper, Lehfeldt, Rigger, Rowen, Turner, Yeomans—11.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House file No 370, a bill for an act making an appropriation for the penitentiary at Ft. Madison, Iowa.

House file No. 342, a bill for an act making appropriations for the Iowa School for the Deaf, at Council Bluffs, Iowa.

House file No. 444, a bill for an act making appropriations for the Iowa Industrial School, girls' department, at Mitchellville, Iowa.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

House file No. 81, a bill for an act making appropriations for the Hospital for the Insane at Mt. Pleasant, Iowa.

House file No. 127, a bill for an act making appropriations for the Hospital for the Insane at Independence, Iowa.

House file No. 181, a bill for an act making appropriations for the Industrial Home for the Blind at Knoxville, Iowa.

I. K. WILSON,
Chief Clerk.

On motion of Senator Lewis, substitute for Senate file No. 202, a bill for an act making appropriations for the Soldiers' Home in Marshalltown, with report of Committee recommending passage, was taken up, considered and adopted.

Senator Cheshire in the chair.

Senator Lewis moved that the rule be suspended and the bill be considered engrossed and read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Chantry, Cheshire, Dent, Downey, Eaton, Everall, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harsh, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Terry, Upton, Vale, Waterman—39.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Conaway, Craig, Ellis, Finn, Harper, Henderson, Lehfelddt, Rowen, Turner, Yeomans—11.

So the bill passed and the title was agreed to.

On motion of Senator Lewis, Senate file No. 362, a bill for an act to provide for an appropriation for conducting the office of the State Dairy Commissioner and for paying the expenses thereof, with report

of committee recommending that it do pass, was taken up, considered, and the report of the committee adopted.

Senator Lewis moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Funk, Garst, Gorrell, Green, Harmon, Harsh, Henderson, Hipwell, Hurst, Jewett, Kelly, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Upton, Vale, Waterman—38.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Everall, Finn, Groneweg, Harper, Jamison, Kilburn, Lehfeldt, Rowen, Terry, Turner, Yeomans—12.

So the bill passed and the title was agreed to.

Senator Lewis moved that House messages be taken up for consideration.

Carried.

HOUSE MESSAGES.

House file No. 370, a bill for an act making an appropriation for the penitentiary at Ft. Madison, was read first and second times.

Senator Lewis moved that House file No. 370 be taken up for consideration now.

Carried.

Senator Lewis moved that the rule be suspended and the bill read a third time now.

Carried.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Everall, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harsh, Henderson, Hipwell, Jewett, Kilburn, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Terry, Upton, Vale, Waterman—39.

The nays were:

None.

Absent or not voting:

Senators Brower, Finn, Harper, Hurst, Jamison, Kelly, Lehfeldt, Mattoon, Rowen, Turner, Yeomans—11.

So the bill passed and the title was agreed to.

House file No. 342, a bill for an act making appropriations for the

Iowa School for the Deaf at Council Bluffs, Iowa, was read first and second times.

Senator Lewis moved that House file No. 342 be taken up for consideration now.

Carried.

Senator Lewis moved the rules be suspended, and the bill be read a third time now.

Senator Lewis moved to amend by striking out "1895" in third line of section 2 and inserting in lieu thereof the figures "1894."

Adopted.

The motion that the rules be suspended and that the bill be read a third time now prevailed.

Bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Dent, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harsh, Henderson, Hipwell, Jewett, Kelly, Kilburn, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Terry, Upton, Vale—38.

The nays were:

None.

Absent or not voting:

Senators Andrews, Brower, Craig, Harper, Hurst, Jamison, Lehfeldt, Mattoon, Rowen, Turner, Waterman, Yeomans—12.

So the bill passed and the title was agreed to.

House file No. 444, a bill for an act making appropriations for the Iowa Industrial School, girls' department, at Mitchellville, Iowa, was read first and second times.

Senator Lewis moved that House file No. 444 be taken up for consideration now.

Carried.

Senator Lewis moved that the rules be suspended and the bill be read a third time now.

Carried.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Eaton, Everall, Finn, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harsh, Henderson, Hipwell, Hurst, Jewett, Kelly, Kilburn, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Terry, Vale, Waterman—39.

The nays were:

None.

Absent or not voting:

Senators Andrews, Brower, Downey, Ellis, Harper, Jamison, Lehfeldt, Rowen, Turner, Upton, Yeomans—11.

So the bill passed and the title was agreed to.

House file No. 127, a bill for an act making appropriations for the Hospital for the Insane at Independence, Iowa, was read first and second times.

Senator Lewis moved that House file No. 127 be taken up for consideration now.

Carried.

Senator Lewis moved that the rules be suspended and the bill read a third time now.

Carried.

The bill was read a third time.

On the question "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Dent, Downey, Eaton, Ellis, Everall, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Terry, Upton, Vale—38.

The nays were:

None.

Absent or not voting:

Senators Andrews, Brower, Craig, Finn, Harper, Lehfeldt, Mattoon, Rigger, Rowen, Turner, Waterman, Yeomans—12.

So the bill passed and the title was agreed to.

House file No. 181, a bill for an act making an appropriation for the Industrial Home for the Blind at Knoxville, was read first and second times.

Senator Lewis moved to take up House file No. 181 for consideration.

Carried.

Senator Lewis moved the rules be suspended and the bill be read a third time now.

Carried.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Everall, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Terry, Upton, Vale—38.

The nays were:

None.

Absent or not voting:

Senators Andrews, Brower, Ellis, Finn, Harper, Lehfelddt, Mattoon, Rikken, Rowen, Turner, Waterman, Yeomans—12.

So the bill passed and the title was agreed to.

House file No. 81, a bill for an act making appropriations for the Hospital for the Insane at Mt. Pleasant, Iowa, was read first and second times.

Senator Lewis moved that House file No. 81 be taken up for consideration now.

Carried.

Senator Lewis moved that the rule be suspended and the bill be read a third time now.

Carried.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Dent, Downey, Eaton, Ellis, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Terry, Vale—35.

The nays were:

None.

Absent or not voting:

Senators Andrews, Brower, Craig, Everall, Finn, Harper, Kilburn, Lehfelddt, Mattoon, Rikken, Rowen, Turner, Upton, Waterman, Yeomans—15.

So the bill passed and the title was agreed to.

President Dungan in the chair.

House file No. 52, a bill for an act to amend chapter 58, acts of the Twenty-fourth General Assembly, to increase the efficiency of farmers' institutes, was read first and second times and passed on file.

House file No. 208, a bill for an act to amend section 1, chapter 3, acts of the Seventeenth General Assembly, relative to the consolidation of municipal corporations, was read first and second times and referred to Committee on Cities and Towns.

House file No. 239, a bill for an act to amend section 2961 of the Code, in relation to action to recover on bond of attachment, was read first and second times and referred to Committee on Judiciary.

House Joint Resolution No. 13, providing for the publication and distribution of House file No. 537, was read first and second times and referred to Committee on Printing.

On motion of Senator Lewis, Senate file No. 157, a bill for an act making an appropriation for Benedict Home at Des Moines, with report of committee recommending amendments and when so

amended that the same do pass, was taken up, considered, and the report of the committee adopted.

Senator Lewis moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Dent, Downey, Eaton, Everall, Finn, Funk, Garst, Gorrell, Harmon, Harsh, Henderson, Hipwell, Hurst, Jewett, Kelly, Kilburn, Lewis, Oleson, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rikken, Upton, Vale, Waterman—37.

The nays were:

None.

Absent or not voting:

Senators Craig, Ellis, Green, Groneweg, Harper, Jamison, Lehfeldt, Mattoon, Palmer, Rowen, Terry, Turner, Yeomans—13.

So the bill passed and the title was agreed to.

Senator Lewis from Committee on Appropriations, reported back House file No. 432, and asked that it be passed on file.

So ordered.

Senator Lewis moved to take up for consideration House file No. 432, a bill for an act appropriating funds for the State Fish Commission.

Carried.

Senator Lewis moved the rules be suspended and the bill be read a third time now.

Carried.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Dent, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harsh, Henderson, Hipwell, Hurst, Jewett, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rikken, Upton, Vale, Waterman—39.

The nays were:

None.

Absent or not voting:

Senators Craig, Harper, Jamison, Kelly, Kilburn, Lehfeldt, Mattoon, Rowen, Terry, Turner, Yeomans—11.

So the bill passed and the title was agreed to.

Senator Lewis moved Senate file No 251, a bill for an act appropriating funds for the support of the State fish commissioner be indefinitely postponed.

Carried.

Senator Carpenter called up his resolution relative to a sifting committee.

Resolved, That the President of the Senate appoint a sifting committee, consisting of nine members, and when so appointed, all bills other than appropriation bills, be hereafter referred to said committee, and that no bills, except appropriation bills be considered unless favorably reported by said committee; said reported bills to be taken up by the Senate for consideration in the order in which they are reported.

Senator Carpenter offered the following amendment:

Amend resolution for sifting committee by striking out the word "hereafter," in fifth and sixth lines, and add to the resolution the words "beginning Thursday, March 29th."

Senator Finn offered the following amendment to the amendment.

Provided, That House file No. 22 and all bills set for special order be excepted from this resolution, this resolution to take effect Monday, April 2d.

Senator Kelly moved that the amendment to the amendment be laid on the table.

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment to the amendment be laid on the table?" the yeas were:

Senators Baldwin, Bishop, Brower, Chantry, Craig, Dent, Downey, Eaton, Everall, Green, Groneweg, Henderson, Hipwell, Hurst, Kelly, Kilburn, Oleson, Palmer, Penrose, Perrin, Rea, Rigger—21.

The nays were:

Senators Andrews, Boardman, Carpenter, Cheshire, Conaway, Dent, Ellis, Finn, Funk, Garst, Gorrell, Harmon, Harsh, Jamison, Jewett, Lewis, Perry, Phelps, Reynolds, Upton, Vale, Waterman—22.

Absent or not voting:

Senators Harper, Lehfeldt, Mattoon, Rowen, Terry, Turner Yeomans—7.

So the motion was lost.

Senator Groneweg moved that the Senate do now adjourn until 2:30 P. M.

Carried.

The Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2:30 o'clock P. M., and was called to order by President Dungan.

The journal of yesterday was read, corrected and approved.

REPORT OF STANDING COMMITTEE.

Senator Upton, from the Committee on Printing, submitted the following report:

MR. PRESIDENT—Your Committee on Printing, to whom was referred Joint Resolution No. 18, providing for the publication and distribution of House file No. 587, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be adopted.

C. C. UPTON,
Chairman.

Report was read.

Senator Funk moved that the rule be suspended, and Joint Resolution No. 13 be read a third time now.

Carried.

On the question, "Shall Joint Resolution No. 13 be adopted?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Chantry, Cheshire, Conaway, Craig, Dent, Ellis, Everall, Funk, Garst, Gorrell, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Jewett, Kilburn, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Phelps, Reynolds, Rigger, Upton, Vale, Waterman—35.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Downey, Eaton, Finn, Green, Hurst, Jamison, Kelly, Lehfeldt, Perry, Rea, Rowen, Terry, Turner, Yeomans—15.

So the joint resolution was adopted.

INTRODUCTION OF BILLS.

By Senator Mattoon, Senate file No. 406, a bill for an act to legalize certain acts of the incorporated town of West Union, the change of grade of same from an incorporated town to a city of the second class, the organization of same as such city and the election of its officers.

Read first and second times and referred to Committee on Judiciary.

On motion of Senator Chantry, House file No. 471, a bill for an act to amend chapter 5, section 1660 of the Code of Iowa, with report of committee recommending that it do pass, was taken up, considered and report of committee adopted.

Senator Chantry moved that the bill be read a third time now.

Senator Lewis moved to amend the body of the bill by numbering it section 1, and that after the word "line" in line 1, section 1

inserting the words "of section 1660 of the Code of 1873;" and also, that there be added as section 2 a publication clause.

Adopted.

Bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Everall, Funk, Garst, Gorrell, Green, Harmon, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kilburn, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Terry, Vale, Waterman—39.

The nays were:

None.

Absent or not voting:

Senators Andrews, Finn, Groneweg, Harper, Kelly, Lehfeldt, Mattoon, Rowen, Turner, Upton, Yeomans—11.

So the bill passed.

Senator Lewis offered the following substitute to the title of the bill:

A BILL

For an act to amend section 1660 of the Code of 1873, in relation to parole of inmates of the State industrial schools.

Adopted.

So the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate file No. 100, a bill for an act appropriating money to pay Capt. Washington Galland for services as captain in organizing militia and volunteers for the protection of the State and for services in the army of the United States during the war of the Rebellion, and to reimburse him for money expended in supporting and maintaining said militia and volunteers when so organized.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 166, a bill for an act to amend section 1729 of the Code, so as to enable school boards to furnish the necessary school books for the use of indigent children.

House file No. 236, a bill for an act to amend section 13, chapter 35, of the acts of the Twenty-third General Assembly of the State of Iowa, relating to reports of registered pharmacists not holding permits.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill, in which the concurrence of the House was asked:

Senate file No. 855, a bill for an act to establish a school of mines for the State of Iowa.

I. K. WILSON,
Chief Clerk.

Consideration of Senator Carpenter's resolution for the appointment of a sifting committee was resumed.

The question being upon the amendment to the amendment offered by Senator Finn.

Adopted.

The question now being upon Senator Carpenter's amendment as amended by Senator Finn.

Senator Kelly moved to amend the amendment by striking out "March 29th" and inserting "April 4th."

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment to the amendment be adopted?" the yeas were:

Senators Baldwin, Bishop, Brower, Downey, Eaton, Everall, Finn, Garst, Gorrell, Green, Groneweg, Hurst, Kelly, Kilburn, Oleson, Palmer, Perrin, Perry, Phelps, Rea, Rigger, Terry—22.

The nays were:

Senators Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Ellis, Funk, Harmon, Harper, Harsh, Henderson, Hipwell, Jamison, Jewett, Lewis, Penrose, Reynolds, Upton, Vale, Waterman—22.

Absent or not voting:

Messrs. Andrews, Lehfelddt, Mattoon, Rowen, Turner, Yeomans—6.

The vote being a tie, the President declared the amendment to the amendment was adopted.

Senator Cheshire moved to reconsider the vote by which Senator Kelly's motion was adopted.

Senator Kelly moved to lay the motion on the table.

Upon this the yeas and nays were demanded.

On the question, "Shall the motion to lay Senator Cheshire's motion on the table prevail?" the yeas were:

Senators Baldwin, Bishop, Downey, Eaton, Everall, Garst, Green, Groneweg, Henderson, Hipwell, Hurst, Kelly, Kilburn, Oleson, Palmer, Perrin, Phelps, Terry—18.

The nays were:

Senators Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig,

Dent, Ellis, Finn, Funk, Gorrell, Harmon, Jamison, Jewett, Lewis, Mattoon, Penrose, Perry, Rea, Reynolds, Rikken, Upton, Vale, Waterman—24.

Absent or not voting:

Senators Andrews, Brower, Harper, Harsh, Lehfeldt, Rowen, Turner, Yeomans—8.

So the motion to lay on the table was lost.

Senator Kelly arose to a point of order that Senator Cheshire was out of order in moving a reconsideration of the vote by which Senator Kelly's motion was adopted for the reason that he had not voted on the prevailing side.

The chair decided the point of order well taken.

The Governor's private secretary appeared and presented a

MESSAGE FROM THE GOVERNOR.

STATE OF IOWA. }
EXECUTIVE OFFICE. }
Des Moines, March 27, 1894. }

MR. PRESIDENT—I am instructed by the governor to inform you that he has approved, signed and deposited in the office of the secretary of State the following bills:

Senate file No. 64, an act to apply to cities of the first-class the provision of chapter 78, laws of the Twenty-first General Assembly, as amended by chapter 17, laws of the Twenty-second General Assembly, and chapter 15, laws of the Twenty-fourth General Assembly.

Senate file No. 143, an act creating a board of library trustees, defining the powers and prescribing the duties of such board.

Senate file No. 309, an act to amend chapter one (1) of the acts of the Twenty-fourth General Assembly entitled an act to establish a board of park commissioners in certain cities of the first class, defining their powers and prescribing their duties, and to further extend the powers and prescribe the duties of such commissioners.

Senate file No. 42, an act to amend sections 289 and 290 of the Code of 1873, as amended by chapter 10 of the laws of the Twenty-fourth General Assembly of the State of Iowa, relating to the bonding of county indebtedness.

Senate file No. 245, an act to amend chapter 13, title 22 of the Code, in relation to the State Library, as amended by chapter 13 Nineteenth General Assembly and chapter 191 Twentieth General Assembly.

Senate file No. 348, an act to legalize the election for the issuance of bonds to erect water works held in the incorporated town of Prairie City, Jasper county, Iowa, on March 5th, 1894.

Senate file No. 259, an act to legalize the levy of certain taxes for certain years in Dickinson county, Iowa.

Senate file No. 62, a bill for an act authorizing the board of supervisors of Marshall county, Iowa, to locate a highway, in part on lands owned by the State.

W. S. RICHARDS,
Private Secretary.

Senator Rea moved to reconsider the vote by which the amendment offered by Senator Kelly was adopted.

Upon this the yeas and nays were demanded.

On the question, "Shall the vote by which the amendment offered by Senator Kelly be reconsidered?" the yeas were:

Senators Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Ellis, Funk, Garst, Harmon, Harsh, Jamison, Jewett, Lewis, Mattoon, Palmer, Penrose, Rea, Reynolds, Upton, Vale, Waterman—23.

The nays were:

Senators Baldwin, Bishop, Downey, Eaton, Everall, Finn, Gorrell, Green, Groneweg, Henderson, Hipwell, Hurst, Kelly, Kilburn, Oleson, Perry, Phelps, Rigger, Terry—19.

Absent or not voting:

Senators Andrews, Brower, Harper, Lehfeltdt, Perrin, Rowen, Turner, Yeomans—8.

So the motion to reconsider was lost.

REPORTS OF COMMITTEES.

Senator Kelly, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate file No. 164, a bill for an act to repeal chapter 21, acts of the Twentieth General Assembly, chapter 140, acts of the Twenty-first General Assembly, chapter 56, acts of the Twenty-second General Assembly, chapter 52, acts of the Twenty-second General Assembly, chapter 53, acts of the Twenty-second General Assembly, Chapter 43, acts of the Twenty-first General Assembly, chapter 46, acts of the Twenty-third General Assembly and section two (2) of chapter 54, acts of the Twenty-second General Assembly and to enact a substitute therefor relating to the management of mines, and find the same correctly engrossed.

M. J. KELLY,
Chairman.

Senator Ellis moved to amend the amendment by substituting "April 2d" for "Thursday, March 29th."

Amendment accepted by Senator Carpenter.

The question being upon Senator Kelly's amendment to the amendment fixing the time at April 4th instead of March 29th.

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment to the amendment prevail?" the yeas were:

Senators Andrews, Baldwin, Bishop, Downey, Eaton, Everall, Finn, Gorrell, Green, Groneweg, Harper, Henderson, Hurst, Kelly, Kilburn, Oleson, Phelps, Rigger, Terry—19.

The nays were:

Senators Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Ellis, Funk, Garst, Harmon, Harsh, Hipwell, Jamison, Jewett, Lewis, Mattoon, Palmer, Penrose, Rea, Reynolds, Upton, Vale, Waterman—25.

Absent or not voting:

Senators Lehfeldt, Perrin, Perry, Rowen, Turner, Yeomans—6.

So the amendment to the amendment was lost.

The question being upon the adoption of the amendment offered by Senator Carpenter.

Adopted.

The question being on the adoption of the original resolution, as amended, offered by Senator Carpenter.

Adopted.

On motion of Senator Lewis substitute for Senate file No. 41, a bill for an act making appropriations to the Iowa State Agricultural Society, with report of committee recommending passage, was taken up, considered and the report of the committee was read and adopted.

Senator Lewis moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Dent, Downey, Eaton, Ellis, Everall, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Harsh Henderson, Hipwell, Jewett, Kilburn, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rikken, Upton, Vale, Waterman—39.

The nays were:

None.

Absent or not voting:

Senators Bishop, Craig, Finn, Hurst, Jamison, Kelly, Lehfeldt, Rowen, Terry, Turner, Yeomans—11.

So the bill passed and the title was agreed to.

On motion of Senator Lewis, substitute for Senate file No. 175, a bill for an act making an appropriation for the Hospital for the Insane at Clarinda, with report of committee recommending passage, was taken up, considered, and the report of the committee was read and adopted.

Senator Lewis moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter,

Chantry, Cheshire, Conaway, Dent, Eaton, Ellis, Everall, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Upton, Vale, Waterman—41.

The nays were:

None.

Absent or not voting:

Senators Craig, Downey, Finn, Lehfelddt, Perry, Rowen, Terry, Turner, Yeomans—9.

So the bill passed and the title was agreed to.

On motion of Senator Lewis, substitute for Senate file No. 123, a bill for an act making an appropriation for the State Normal School at Cedar Falls, Iowa, and providing for a new building and for additional endowment and contingent funds for said school, with report of committee recommending passage, was taken up, considered, and the report of the committee was read and adopted.

Senator Lewis moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Eaton, Ellis, Everall, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Jamison, Jewett, Kelly, Kilburn, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Upton, Vale, Waterman—40.

The nays were:

None.

Absent or not voting:

Senators Bishop, Brower, Downey, Finn, Hurst, Lehfelddt, Rowen, Terry, Turner, Yeomans—10.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the Senate amendment to the following bill in which the concurrence of the House was asked:

House file No. 342, a bill for an act making appropriations for the Iowa School for the Deaf at Council Bluffs.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 317, a bill for an act to provide for the payment of the expenses of district judges in certain cases.

House file No. 232, a bill for an act making appropriations for the Institution for Feeble-minded Children at Glenwood, Iowa.

House file No. 248, a bill for an act making appropriations for the Soldiers' Orphans' Home and Home for Indigent Children at Davenport, Iowa.

I. K. WILSON,
Chief Clerk.

Senator Lewis moved to take up House messages.

Carried.

HOUSE MESSAGES.

House file No. 166, a bill for an act to amend section 1729 of the Code, so as to enable school boards to furnish the necessary school books for the use of indigent children, was read first and second times and passed on file.

House file No. 236, a bill for an act to amend section 13, chapter 35 of the acts of the Twenty-third General Assembly of the State of Iowa, relating to reports of registered pharmacists not holding permits, was read first and second times and passed on file.

Senator Waterman, moved the amendment proposed by the House on Senate file No. 355, be concurred in.

On the question, "Shall the amendment proposed by the House on Senate file No. 355 be concurred in?" the yeas were:

Senators Andrews, Baldwin, Bishop, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Finn, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harsh, Henderson, Hipwell, Jamison, Jewett, Kelly, Kilburn, Lewis, Oleson, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Upton, Vale, Waterman—38.

The nays were:

None.

Absent or not voting:

Senators Boardman, Brower, Everall, Harper, Hurst, Lehfelddt, Mattoon, Palmer, Rowen, Perry, Turner, Yeomans—12.

So the Senate concurred in the House amendment.

House file No 317, a bill for an act to provide for the payment of the expenses of district judges in certain cases, was read first and second times and referred to Committee on Compensation of Public Officers.

House file No. 232, a bill for an act making appropriations for the Institution for Feeble-Minded Children at Glenwood, Iowa, was read first and second times.

Senator Lewis moved that House file No. 232 be taken up for consideration now.

Carried.

Senator Lewis moved that the rules be suspended and the bill read a third time now.

Carried.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Everall, Finn, Funk, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jewett, Kelly, Kilburn, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Terry, Upton, Vale, Waterman—42.

The nays were;

None.

Absent or not voting:

Senators Garst, Gorrell, Jamison, Lehfeldt, Mattoon, Rowen, Turner, Yeomans—8.

So the bill passed and the title was agreed to.

House file No. 248, a bill for an act making appropriations for the Soldiers' Orphans' Home and Home for Indigent Children at Davenport, Iowa, was read first and second times.

Senator Lewis moved that House file No. 248 be taken up for consideration now.

Carried.

[Senator Lewis moved that the rules be suspended and the bill read a third time now.

Carried.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Everall, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Lewis, Penrose, Perrin, Perry, Rea, Reynolds, Rigger, Terry, Upton, Vale, Waterman—38.

The nays were:

None.

Absent or not voting:

Senators Brower, Chantry, Finn, Kilburn, Lehfeldt, Mattoon, Oleson, Palmer, Phelps, Rowen, Turner, Yeomans—12.

So the bill passed and the title was agreed to.

INTRODUCTION OF BILLS.

By Committee on Appropriations, Senate file No. 407, a bill for an act making an appropriation for the erection of a dormitory for widows and mothers of soldiers and sailors, and army nurses, at the Iowa Soldiers' Home at Marshalltown, Iowa.

Read first and second times and passed on file.

By Senator Bishop, Senate file No. 408, a bill for an act to repeal section 1581 of the Code of 1873, and to amend chapter 109 of the acts of the Twenty-second General Assembly.

Read first and second times and referred to Committee on Appropriations.

REPORTS OF STANDING COMMITTEES.

Senator Lewis, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 87, a bill for an act to authorize the building of another cottage on the grounds of the Iowa Hospital for the Insane at Independence, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

L. W. LEWIS,
Chairman.

Ordered passed on file.

Senator Conaway, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred House file No. 429, a bill for an act to provide for an additional member of the State Board of Health, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

A. B. CONAWAY,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 363, a bill for an act to better protect the purchasers of canned goods, beg leave report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

A. B. CONAWAY,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 360, a bill for an act to provide for the inspection of liquors in drug stores, beg leave to report that they have had the same under consideration

and have instructed me to report the same back to the Senate without recommendation.

A. B. CONAWAY,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 329, a bill for an act to amend chapter 104 of the laws of the Twenty-first General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

A. B. CONAWAY,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 298, a bill for an act to regulate patent and proprietary medicines, pills, appliances and nostrums, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

A. B. CONAWAY,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 357, a bill for an act to empower certain cities to establish a department of health and defining its organization, powers, and duties, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

A. B. CONAWAY,
Chairman.

Ordered passed on file.

Senator Rea, from the Committee on Fish and Game, submitted the following report:

MR. PRESIDENT—Your Committee on Fish and Game, to whom was referred House file No. 137, a bill for an act for the protection and preservation of Chinese and English pheasants, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. M. REA,
Chairman.

Ordered passed on file.

Senator Garst introduced the following Joint Resolution:

JOINT RESOLUTION NO. 15.

Joint Resolution relative to assignment of rooms in the Capitol building:

Be it resolved by the General Assembly of the State of Iowa, That the rooms in the Capitol Building now occupied by the Horticultural Society, Nos. 18 and

19 on the first floor and No. 13 in the basement story, be vacated by said society, and that rooms No. 5 and 6 in the basement story be hereafter occupied by said society, and that said rooms, Nos. 18 and 19, be hereafter occupied by the adjutant-general, and that the Executive Council be empowered to reimburse said Horticultural Society for the decorations of said rooms made by said society.

Read first and second times and passed on file.

Senator Jamison moved that the Senate do now adjourn.

Carried.

The Senate adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, March 28, 1894. }

Senate met in regular session at 9 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. R. E. Flickenger, of Pocahontas county.

PETITIONS AND MEMORIALS.

Senator Harsh presented a petition from N. W. Shields and 47 other farmers and business men of Union county, asking for the repeal of the hunters' trespass bill.

Referred to Committee on Agriculture.

Senator Bishop presented a petition from citizens of Lyon county, Iowa, on same subject.

Same reference.

Senator Harper presented petitions from citizens of Des Moines county, Iowa, on same subject.

Same reference.

Senator Brower presented a petition from citizens of Clear Lake, Iowa, on same subject.

Same reference.

Senator Andrews presented petitions from citizens of Guthrie county, Iowa, on same subject.

Same reference.

Senator Brower presented petitions from citizens of Mason City asking the passage of a law defining what shall constitute "beneficiary societies," and providing for their regulation.

Referred to Committee on insurance.

Senator Waterman was granted leave of absence for to-day.

REPORTS OF STANDING COMMITTEES.

Senator Craig, from the Committee on Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred Senate file No. 396, a bill for an act requiring telephone companies to maintain instruments at certain points along their lines, beg leave to report that they have had the

same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. M. CRAIG,
Chairman.

Ordered passed on file.

Senator Perry moved that the rules be suspended and Senate file No. 7, a bill for an act to prevent insurance trusts and combines, and providing punishment for the same, be taken up for consideration now.

Carried.

Senator Finn moved that the vote by which the bill was ordered to a third reading be reconsidered.

Upon this the yeas and nays were demanded.

On the question, "Shall the vote by which Senate file No. 7 was ordered to third reading be reconsidered," the yeas were:

Senators Andrews, Dent, Eaton, Ellis, Finn, Harmon, Henderson, Jamison, Phelps, Rowen, Upton—11.

The nays were:

Senators Baldwin, Bishop, Brower, Carpenter, Cheshire, Conaway, Craig, Downey, Everall, Garst, Gorrell, Green, Groneweg, Harper, Harsh, Hipwell, Hurst, Jewett, Kelly, Kilburn, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Rea, Reynolds, Rigger, Terry, Turner, Vale,—32.

Absent or not voting:

Senators Boardman, Chantry, Funk, Lehfelddt, Mattoon, Waterman, Yeomans—7.

So the motion to reconsider was lost.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the House was asked:

Senate file No. 217, a bill for an act making appropriations for the College for the Blind at Vinton, Iowa.

Senate file No. 123, a bill for an act making appropriations for the State Normal School at Cedar Falls, Iowa.

Senate file No. 175, a bill for an act making appropriations for the Hospital for the Insane at Clarinda, Iowa.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House file No. 287, a bill for an act making appropriation for the better support of the State University in the several departments and chairs, and in aid of the income fund, for the development of the institution, and for the erection of buildings.

I. K. WILSON,
Chief Clerk.

On the question, "Shall the bill, Senate file No. 7, pass?" the yeas were:

Senators Baldwin, Bishop, Brower, Chantry, Cheshire, Craig, Downey, Everall, Finn, Funk, Garst, Gorrell, Green, Groneweg, Harsh, Hipwell, Hurst, Jewett, Kelly, Kilburn, Lewis, Mattoon, Oleson, Palmer, Penrose, Perry, Rea, Reynolds, Rigger, Terry, Turner, Vale—32.

The nays were:

Senators Andrews, Dent, Ellis, Harmon, Henderson, Jamison, Perrin, Phelps, Rowen, Upton—10.

Absent or not voting:

Senators Boardman, Carpenter, Conaway, Eaton, Harper, Lehfeldt, Waterman, Yeomans—8.

So the bill passed and the title was agreed to.

Senator Perry moved to reconsider the vote by which Senate file No. 7 passed the Senate.

Senator Kelly moved to lay the motion on the table.

Carried.

Senator Perrin moved to take up for consideration Joint Resolution No. 5, to amend the constitution of the State of Iowa relative to the sale of intoxicating liquors as a beverage.

Carried.

Senator Perrin offered the following substitute for Joint Resolution No. 5:

JOINT RESOLUTION TO AMEND THE CONSTITUTION OF THE STATE OF IOWA
RELATIVE TO THE SALE OF INTOXICATING LIQUORS AS A BEVERAGE.

Be it resolved by the General Assembly of the State of Iowa, That the following amendment to the constitution of the State of Iowa be and is hereby proposed and referred to the Legislature of Iowa, to be elected at the next general election for members of the General Assembly thereof; that is to say, add to article one (1) of the constitution the following as section twenty-six (26):

SECTION 26. The sale of intoxicating liquors as a beverage is hereby prohibited.

The General Assembly shall by appropriate legislation provide for the enforcement of this section.

Adopted.

Substitute for Joint Resolution No. 5, was read first and second times.

Senator Brower offered the following amendment to substitute for Joint Resolution:

Add at end of resolution the following:

Upon presentation of a petition in the name of the State charging any person with a violation of the foregoing provision, verified by three reputable citizens of the State, to the district court of the county where the violation is alleged to have

occurred, or to any judge thereof, such court or judge shall order a temporary injunction without bond restraining the defendant from further violation. Upon ten days' notice to the defendant, or on his application, the said court may grant a final hearing in the matter; and if it shall be found that the allegations of the petition are untrue the court shall dissolve the injunction, but if such allegations are true the court shall make the injunction perpetual. If the injunction be against the manufacture of such liquors the court shall render judgment against the violator for one thousand dollars for each day that such violation shall continue. If it should be against the sale of such liquors the court shall render judgment against the violator for five hundred dollars for the first offense, and for each offense thereafter one thousand dollars and imprisonment in the county jail not exceeding six months in the discretion of the court.

In all proceedings to execute this article the court shall allow a reasonable fee for plaintiff's attorney in the event the State succeeds in the proceeding, to be entered as part of the costs. Costs shall be assessed as in other cases. The judgment for fine and costs shall be a lien against all the property of the defendant in the county not exempt from execution. Execution on any such judgment shall be issued as in other similar cases. Appeals to the supreme court may be taken and shall be tried as in other causes. The rules of practice and the statutes in force at the time, applying to other like actions and proceedings, shall be applicable in proceedings under this article so far as they are not in conflict with the foregoing provisions.

Resolved further, That the foregoing proposed amendment be and the same is hereby referred to the legislature to be chosen at the next general election for members of the next General Assembly, and that the Secretary of State cause the same to be published as required by law.

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senator Brower—1.

The nays were:

Senators Andrews, Boardman, Carpenter, Chantry, Cheshire, Conway, Craig, Dent, Eaton, Ellis, Finn, Funk, Gorrell, Harmon, Harsh, Jamison, Jewett, Kelly, Kilburn, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Terry, Turner, Upton, Vale—32.

Absent or not voting:

Senators Baldwin, Bishop, Downey, Everall, Garst, Green, Grone-
weg, Harper, Henderson, Hipwell, Hurst, Lehfelddt, Perry, Rowen,
Waterman, Yeomans—17.

So the amendment was lost.

Senator Perrin moved that the rule be suspended, and the substitute for the joint resolution be considered engrossed and read a third time now, which motion prevailed, and the joint resolution was read a third time.

On the question, "Shall the joint resolution pass?" the yeas were:
Senators Andrews, Boardman, Carpenter, Chantry, Cheshire, Con-

away, Craig, Eaton, Ellis, Finn, Funk, Garst, Gorrell, Harmon, Harsh, Henderson, Jamison, Jewett, Kilburn, Lewis, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Rowen, Turner, Upton, Vale—31.

The nays were:

Senators Baldwin, Bishop, Dent, Downey, Everall, Green, Groneweg, Harper, Hipwell, Hurst, Kelly, Mattoon, Oleson, Perry, Terry—15.

Absent or not voting:

Senators Brower, Lehfeldt, Waterman, Yeomans—4.

So the joint resolution passed and the title was agreed to.

Senator Finn asked that the records show that Senator Waterman if present would have voted "yea" on the passage of Joint Resolution No. 5, it being the request of Senator Waterman.

So ordered.

The hour for the special order, being the election of a code commissioner, having arrived, Senator Jamison moved that the Senate proceed to the election of a code commissioner.

Carried.

Senator Jamison offered the following resolution:

Resolved by the Senate, That Emlin McLain, of Johnson county, be and he is hereby elected as one of the commissioners to codify the laws of Iowa.

On the question, "Shall the resolution be adopted?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale—47.

The nays were:

None.

Absent or not voting:

Senators Lehfeldt, Waterman, Yeomans—3.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the House was asked:

Senate file No. 157, a bill for an act making an appropriation for Benedict Home at Des Moines, Iowa.

Senate file No. 41, a bill for an act making appropriations for the Iowa State Agricultural College.

I. K. WILSON,
Chief Clerk.

Senator Lewis moved that House messages be taken up for consideration.

Carried.

HOUSE MESSAGES.

House file No. 287, a bill for an act for an appropriation for the better support of the State University in the several departments and chairs, and in aid of the income fund and for the development of the institution, was read first and second times.

Senator Lewis moved that House file No. 287 be taken up for consideration now.

Carried.

Senator Lewis, moved that the rule be suspended, and the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Everall, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Hipwell, Jewett, Kelly, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale—40.

The nays were:

None.

Absent or not voting:

Senators Brower, Finn, Henderson, Hurst, Jamison, Kilburn, Lehfeltdt, Perry, Waterman, Yeomans—10.

So the bill passed and the title was agreed to

Senator Harsh moved to take up for consideration his resolution of yesterday:

Resolved, That Senate file No. 340, known as the revenue bill and reported for passage by Committee on Ways and Means, be set down for consideration at 10 o'clock A. M. Thursday, March 22, 1894, and for that purpose rules be suspended and a special order made accordingly.

Carried.

Senator Everall offered the following amendment:

Amend by inserting after the word "consideration," the words, "to immediately follow the special order set for."

Senator Harsh accepted the amendment.

Senator Harsh moved that the resolution be adopted.

Senator Jamison moved that the Senate do now adjourn.

Senator Jamison deferred his motion to adjourn, and the President announced a report from the Soldiers' Monument Committee.

Senator Mattoon moved that the reading of the report be dispensed with, and that 300 copies be printed and placed on the Senator's desks in the morning.

Carried.

Senator Andrews asked that 300 copies of Senate file No. 405 be printed.

It was so ordered.

The question being, "Shall the Senate adjourn?"

Carried.

The Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2:00 o'clock P. M., and was called to order by President Dungan.

The question being upon the adoption of the resolution offered by Senator Harsh.

Upon this the yeas and nays were demanded.

On the question, "Shall the resolution be adopted?" the yeas were:

Senators Andrews, Baldwin, Bishop, Chantry, Conaway, Everall, Funk, Groneweg, Harmon, Harsh, Hurst, Kilburn, Lewis, Oleson, Penrose, Perrin, Turner, Vale—18.

The nays were:

Senators Brower, Carpenter, Cheshire, Craig, Dent, Finn, Garst, Gorrell, Harper, Hipwell, Jamison, Jewett, Kelly, Mattoon, Palmer, Phelps, Rea, Rowen, Upton—19.

Absent or not voting:

Senators Boardman, Downey, Eaton, Ellis, Green, Henderson, Lehfeldt, Perry, Reynolds, Rigger, Terry, Waterman, Yeomans—13

So the motion to adopt the resolution was lost.

On motion of Senator Rigger, Senate file No. 161, a bill for an act to repeal chapter 21, Acts of the Twentieth General Assembly, chapter 140, laws of the Twenty-first General Assembly, chapter 56, acts of the Twenty-second General Assembly, chapter 53, acts of the Twenty-second General Assembly, chapter 43, acts of the Twenty-first General Assembly, chapter 46, acts of the Twenty-third General Assembly, and section 2, chapter 54, acts of the Twenty-second General Assembly, and to enact a substitute in lieu thereof, relating to the management of mines, was taken up for consideration.

Senator Rigger moved that the bill be read a third time now.

Carried.

Senator Kelly moved the reading had be considered the third reading.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Chantry, Cheshire, Conaway, Dent, Downey, Everall, Funk, Garst, Gorrell, Groneweg, Harmon, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lewis, Mattoon, Oleson, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Turner, Upton, Vale—38.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Craig, Eaton, Ellis, Finn, Green, Harper, Lehfeldt, Palmer, Terry, Waterman, Yeomans—12.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House requests the return of the following bill, in which the concurrence of the Senate was asked:

House file No. 317, a bill for an act to provide for the payment of the expenses of district judges in certain cases.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 310, a bill for an act for the repeal of section 336 of the Code relating to county recorder and county treasurer.

House file No. 212, a bill for an act relating to the taxing of costs in criminal cases.

House file No. 241, a bill for an act to repeal section 2580 of the Code and enact a substitute therefor.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the House was asked:

Senate file No. 226, a bill for an act making appropriations for the penitentiary at Anamosa, Iowa.

Senate file No. 200, a bill for an act making appropriations for the Iowa Industrial School, boys' department, at Eldora, Iowa.

Senate file No. 202, a bill for an act making appropriations for the Soldiers' Home at Marshalltown, Iowa.

I. K. WILSON,
Chief Clerk.

REPORTS OF STANDING COMMITTEES.

Senator Lewis, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 408, a bill for an act to repeal section 1581 of the Code of 1873, and to amend chapter 109 of the acts of the Twenty-second General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. W. LEWIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House file No. 544, a bill for an act to appropriate money to pay the mileage and per diem of D. O. Stewart as a witness in the case of Stephens vs. Richardson beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. W. LEWIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 335, a bill for an act to provide for the education of the deaf and dumb children in Eastern Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

L. W. LEWIS,
Chairman.

Ordered passed on file.

On motion of Senator Lewis, Senate file No. 407, a bill for an act making an appropriation for the erection of a dormitory for widows and mothers of soldiers and sailors and army nurses at the Iowa Soldiers' Home at Marshalltown, Iowa, was taken up and considered.

Senator Lewis moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Dent, Downey, Everall, Finn, Funk, Garst, Gorrell, Groneweg, Harmon, Harper, Harsh, Henderson, Hurst, Jewett, Kelly, Kilburn, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rowen, Turner, Upton, Vale—37.

The nays were:

None.

Absent or not voting:

Senators Bishop, Craig, Eaton, Ellis, Green, Hipwell, Jamison, Lehfelddt, Mattoon, Rikken, Terry, Waterman, Yeomans—13.

So the bill passed and the title was agreed to.

Senator Chantry offered the following resolution, and moved its adoption:

Resolved, That Senators Phelps and Chantry, Senate members of Joint Committee on Enrolled Bills, be excused from attending upon the sessions of the Senate, while engaged in their duties as such committee.

Adopted.

On motion of Senator Lewis substitute for Senate file No. 261, a bill for an act for the relief of Frederick M. Hull of Webster county, Iowa, and to make an appropriation therefor was taken up and considered.

Senator Finn, president *pro tempore*, in the chair.

Senator Lewis moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Boardman, Brower, Carpenter, Cheshire, Conaway, Craig, Downey, Everall, Finn, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lewis, Oleson, Penrose, Perrin, Perry, Rea, Reynolds, Rikken, Rowen, Terry, Vale—37.

The nays were:

None.

Absent or not voting:

Senators Bishop, Chantry, Dent, Eaton, Ellis, Lehfelddt, Mattoon, Palmer, Phelps, Turner, Upton, Waterman, Yeomans—13.

So the bill passed and the title was agreed to.

On motion of Senator Lewis, House file No. 544, a bill for an act to appropriate money to pay the mileage and per diem of D. O. Stuart as a witness in the case of Stephens vs. Richardson, was taken up for consideration.

Report of committee was read.

Senator Lewis moved that the rule be suspended, and the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Boardman, Carpenter, Cheshire, Conaway, Craig, Dent, Downey, Finn, Funk, Garst, Gorrell, Groneweg,

Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Lewis, Oleson, Penrose, Perrin, Perry, Rea, Reynolds, Rigger, Terry, Turner, Vale—34.

The nays were:

None.

Absent or not voting:

Senators Bishop, Brower, Chantry, Eaton, Ellis, Everall, Green, Kilburn, Lehfelddt, Mattoon, Palmer, Phelps, Rowen, Upton, Waterman, Yeomans—16.

So the bill passed and the title was agreed to.

On motion of Senator Harmon, Senate file No. 87, a bill for an act to authorize the building of another cottage on the grounds of the Iowa Hospital for the Insane at Independence, was taken up and considered.

Senator Harmon moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Bishop, Boardman, Carpenter, Chantry, Cheshire, Conway, Craig, Dent, Eaton, Ellis, Everall, Finn, Gorrell, Green, Harmon, Harper, Hipwell, Jamison, Jewett, Kilburn, Oleson, Palmer, Perrin, Reynolds, Rigger, Rowen, Terry, Turner, Upton—29.

The nays were:

Senators Andrews, Baldwin, Downey, Funk, Lewis, Perry, Vale—7.

Absent or not voting:

Senators Brower, Garst, Groneweg, Harsh, Henderson, Hurst, Kelly, Lehfelddt, Mattoon, Penrose, Phelps, Rea, Waterman, Yeomans—14.

So the bill passed and the title was agreed to.

President Dungan in the chair.

Senator Dent moved that Senate file No. 330, a bill for an act to allow the manufacture of spirituous, vinous and malt liquors within the State of Iowa to be made a special order to follow the special order Senate file No. 36.

Carried.

On motion of Senator Garst, Senate Joint Resolution No. 15, relative to the assignment of rooms in the capitol building was taken up for consideration.

Senator Garst moved that the rule be suspended, and the joint resolution be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the joint resolution pass?" the yeas were:

Senator Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter,

Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Everall, Funk, Garst, Gorrell, Groneweg, Harmon, Harper, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale—41.

The nays were:

Senator Kilburn—1.

Absent or not voting:

Senators Ellis, Finn, Green, Harsh, Lehfeldt, Phelps, Waterman, Yeomans—8.

So the joint resolution passed and the title was agreed to.

Senator Mattoon moved to take up House messages.

Carried.

HOUSE MESSAGES.

Senator Penrose moved that request of House for return of House file No. 317 be granted.

Carried.

House file No. 211, a bill for an act concerning land titles was read first and second times and referred to Committee on Judiciary.

House file No. 310, a bill for an act for the repeal of section 336 of the Code, relating to county recorder and county treasurer was read first and second times and referred to Committee on Judiciary.

House file No. 212, a bill for an act relating to the taxing of costs in criminal cases, was read first and second times and referred to Committee on Judiciary.

Senator Kilburn moved that when the Senate adjourn, it adjourn to meet at 7:30 P. M. to consider bills to which no opposition to consideration is made.

Upon this the yeas and nays were demanded.

On the question, "Shall the Senate when it adjourns adjourn to 7:30 P. M.?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Cheshire, Conaway, Everall, Groneweg, Harmon, Harsh, Jewett, Kilburn, Oleson, Penrose, Perrin, Rea, Rigger, Rowen, Turner, Vale—20.

The nays were:

Senators Brower, Carpenter, Chantry, Dent, Downey, Eaton, Ellis, Funk, Gorrell, Harper, Henderson, Hipwell, Hurst, Kelly, Lewis, Mattoon, Perry, Terry, Upton—19.

Absent or not voting:

Senators Craig, Finn, Garst, Green, Jamison, Lehfeldt, Palmer, Phelps, Reynolds, Waterman, Yeomans—11.

So the motion, that when the Senate adjourns it be to 7:30 P. M., prevailed.

Senate file No. 115, a bill for an act to provide for the payment of wages of workmen employed in the mines in the State of Iowa, in lawful money of the United States and to protect said workmen in the management and control of their own earnings, with report of committee recommending a substitute and that same do pass, was taken up, considered, and the report of the committee was read.

Senator Reynolds moved that House file No. 37 be substituted for Senate file No. 115.

Carried.

Senator Reynolds moved that the bill be read a third time now.

Senator Carpenter asked that on account of the absence of Senator Waterman further consideration of House file No. 37 be postponed.

So ordered.

Senate file No. 195, a bill for an act to provide that telegraph companies transacting business in cities containing a population of not less than 10,000 shall keep their offices open during all hours, both day and night, with report of committee recommending passage, was taken up, considered, and the report of the committee was read.

Senator Hipwell offered the following amendment:

Insert after the word "night," the words, "except between the hours of two and seven."

Adopted.

Senator Groneweg moved to amend by striking out the words "not less" and inserting in lieu thereof the word "more."

Adopted.

Senator Hipwell moved the bill as amended be read a third time now.

Carried.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Bishop, Brower, Cheshire, Craig, Downey, Ellis, Everall, Finn, Green, Groneweg, Harmon, Harsh, Hipwell, Hurst, Jewett, Kelly, Mattoon, Oleson, Penrose, Perry, Rea, Rigger, Terry, Vale—24.

The nays were:

Senators Baldwin, Boardman, Conaway, Funk, Gorrell, Harper, Henderson, Lewis, Palmer, Perrin, Rowen—11.

Absent or not voting:

Senators Andrews, Carpenter, Chantry, Dent, Eaton, Garst, Jamison, Kilburn, Lehfeltdt, Phelps, Reynolds, Turner, Upton, Waterman, Yeomans—15.

So the bill was lost.

Senator Jamison moved that the Senate do now adjourn.

Carried.

The Senate adjourned.

EVENING SESSION.

Senate met pursuant to adjournment at 7:30 P. M., and was called to order by President Dungan.

On motion of Senator Green, Senate file No. 252, a bill for an act to provide for the classification of steam boilers, and to prescribe a penalty for the violation thereof, with report of committee recommending amendments, and when so amended that same do pass, was taken up, considered, and the report of the committee adopted.

Senator Kelly offered the following amendment:

Strike out section 3.

Carried.

Senator Green moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed.

Senator Mattoon moved that the reading just finished be considered the third reading.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Chantry, Cheshire, Craig, Downey, Eaton, Ellis, Everall, Finn, Green, Grone-weg, Harmon, Harsh, Jamison, Jewett, Kelley, Kilburn, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rikken, Rowen, Terry, Turner, Vale—35.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Conaway, Dent, Funk, Garst, Gorrell, Harpe, Henderson, Hipwell, Hurst, Lehfeldt, Lewis, Upton, Waterman, Yeomans—15.

So the bill passed and the title was agreed to.

Senate file No. 167, a bill for an act to amend section 3179 of the Code, relative to appeals to the supreme court, was taken up and report of committee read.

Senator Ellis moved that the rule be suspended, the bill be considered engrossed and read a third time now.

Senator Ellis asked to have further consideration of Senate file No. 167, postponed, and that it retain its place on the calendar.

So ordered.

Senator Lewis asked leave to file a motion to reconsider the vote by which Senate file No. 407 passed the Senate.

Leave granted and motion filed.

Senator Lewis asked leave to file a motion to reconsider the vote by which House file No. 248 passed the Senate.

Leave granted and motion filed.

Senator Ellis asked leave to file a motion to reconsider the vote by which Senate file No. 87 passed the Senate.

Leave granted and motion filed.

On motion of Senator Kilburn House file No. 311, a bill for an act to amend section 1729 of the Code of 1873, requiring boards of directors to provide and keep in good repair suitable water closets or privies in connection with all public school buildings, was taken up and considered.

Senator Kilburn moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Boardman, Brower, Chantry, Cheshire, Conaway, Craig, Downey, Eaton, Everall, Finn, Funk, Green, Groneweg, Harmon, Harsh, Henderson, Jamison, Jewett, Kilburn, Lewis, Mattoon, Olson, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Rowen, Turner, Vale—34.

The nays were:

Senators Bishop, Kelly, Perry, Upton—4.

Absent or not voting:

Senators Carpenter, Dent, Ellis, Garst, Gorrell, Harper, Hipwell, Hurst, Lehfeltdt, Terry, Waterman, Yeomans—12.

So the bill passed and the title was agreed to.

On motion of Senator Jamison House file No. 163, a bill for an act to amend section 4275 of the Code, as amended by chapter 38, laws of the Twenty-second General Assembly, relating to grand jurors, with report of committee recommending amendments, and when so amended that same do pass was taken up, considered, and the report of the committee adopted.

Senator Jamison moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Cheshire, Conaway, Craig, Downey, Eaton, Ellis, Everall, Funk, Green, Groneweg, Harmon, Harsh, Henderson, Jamison, Jewett, Kilburn, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rikken, Rowen, Terry, Turner, Upton, Vale—36.

The nays were:

Senator Chantry—1.

Absent or not voting:

Senators Carpenter, Finn, Garst, Gorrell, Harper, Hipwell, Hurst, Kelly, Lehfeltdt, Lewis, Waterman, Yeomans—13.

So the bill passed and the title was agreed to.

On motion of Senator Perry, House file No. 74, a bill for an act to prevent and punish the improper use of money at elections, with report of committee recommending passage, was taken up, considered, and the report of the committee was read.

Senator Perry moved that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Chantry, Cheshire, Conaway, Downey, Eaton, Ellis, Everall, Finn, Funk, Groneweg, Harmon, Harsh, Henderson, Jamison, Jewett, Kelly, Kilburn, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rikken, Rowen, Terry, Turner, Upton, Vale—38.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Craig, Dent, Garst, Gorrell, Green, Harper, Hipwell, Hurst, Lehfeltdt, Waterman, Yeomans—12.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 315, a bill for an act applying sections 318 and 319 of the Code to taxes levied and collected by cities and towns under section 3049 of the Code, and chapter 57 of the acts of the Sixteenth General Assembly.

I. K. WILSON,
Chief Clerk.

Also.

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

House file No. 337, a bill for an act to pay the expenses of the State militia

while on duty at Pomeroy, Iowa, during the month of July, A. D. 1893, after the cyclone of July 6, 1893.

House file No. 283, a bill for an act to amend chapter 10, Title 3 of the Code of 1873, relating to selecting and drawing jurors.

House file No. 372, a bill for an act providing for the continuance of the Iowa geological survey.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House file No. 557, a bill for an act to legalize the levy of taxes for the year 1893 made by the city council of the city of Mount Pleasant, Henry county, Iowa.

I. K. WILSON,
Chief Clerk.

On motion of Senator Palmer, Senate file No. 133, a bill for an act to authorize the appointment of a commission to ascertain and mark the position occupied by Iowa troops on Lookout Mountain and Missionary Ridge (the battles of Chattanooga), with report of committee recommending a substitute, and that the same do pass, was taken up, considered, and the report of the committee was read.

Substitute read first and second times.

Senator Palmer moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Bishop, Chantry, Cheshire, Conaway, Craig, Downey, Eaton, Ellis, Everall, Finn, Funk, Green, Groneweg, Harmon, Harsh, Henderson, Jamison, Jewett, Kilburn, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Terry, Turner, Upton, Vale—34.

The nays were:

None.

Absent or not voting:

Senators Baldwin, Boardman, Brower, Carpenter, Dent, Garst, Gorrell, Harper, Hipwell, Hurst, Kelly, Lehfeltdt, Lewis, Rowen, Waterman, Yoemans—16.

So the bill passed and the title was agreed to.

Senator Penrose moved to take up House messages.

Carried.

HOUSE MESSAGES.

House file No. 372, a bill for an act providing for the continuance of the Iowa geological survey, was read first and second times and referred to Committee on Appropriations.

House file No. 283, a bill for an act to amend chapter 10, title 3, of the Code of 1873, relating to selecting and drawing jurors, was read first and second times and referred to committee on Judiciary.

House file No. 337, a bill for an act to pay the expenses of the State militia while on duty at Pomeroy, Iowa, during the month of July, A. D. 1893, after the cyclone of July 6, 1893, was read first and second times.

Senator Oleson moved to suspend the rules and take up for consideration House file No. 337.

Carried.

Senator Oleson moved the rules be suspended and the bill be read a third time now.

Carried.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Bishop, Conaway, Craig, Downey, Eaton, Everall, Finn, Green, Groneweg, Harmon, Harsh, Jamison, Jewett, Kelly, Mattoon, Oleson, Palmer, Perrin, Perry, Reynolds, Rigger, Terry Turner, Upton, Vale—26.

The nays were:

None.

Absent or not voting:

Senators Baldwin, Boardman, Brower, Carpenter, Chantry, Cheshire, Dent, Ellis, Funk, Garst, Gorrell, Harper, Henderson, Hipwell, Hurst, Kilburn, Lehfeltdt, Lewis, Penrose, Phelps, Rea, Rowen, Waterman, Yeomans—24.

So the bill passed and the title was agreed to.

Senator Rigger offered the following explanation of his vote:

With the understanding that the appropriation was recommended by the Governor, I vote "aye."

House file No. 557, a bill for an act to legalize the levy of taxes for the year 1893 made by the city council of the city of Mt. Pleasant, Henry county, Iowa, was read first and second times and referred to Committee on Judiciary.

Senate file No. 262, a bill for an act authorizing city councils of cities organized and existing under special charters, to submit amendments to such charters to a vote of the electors at regular city elections, was taken up and the report of the committee read.

Senator Terry moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Chantry, Cheshire, Conaway, Craig, Downey, Eaton, Everall, Finn, Funk, Green, Groneweg, Harmon, Harsh, Henderson, Jamison, Jewett, Kelly, Kilburn, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Terry, Turner, Upton, Vale—36.

The nays were:

None.

Absent or not voting:

Senators Brower, Carpenter, Dent, Ellis, Garst, Gorrell, Harper, Hipwell, Hurst, Lehfelddt, Lewis, Rowen, Waterman, Yeomans—14.

So the bill passed and the title was agreed to.

Senator Finn moved that the Senate do now adjourn.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, March 29, 1894. }

Senate met in regular session at 9 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. W. L. Ferris, of Cherokee, Iowa.

PETITIONS AND MEMORIALS.

Senator Everall presented a petition from citizens and dairymen of Clayton and Delaware counties asking passage of Senate file No. 221.

Referred to Committee on Agriculture.

Senator Mattoon presented a petition from citizens of his district asking for the repeal of the hunter's trespass bill.

Same reference.

Senator Groneweg introduced a petition, and asked that it be read, from the members of the Union Veteran Legion of Encampment No. 8, of Council Bluffs, asking that a resident surgeon be provided for the Soldiers' Home at Marshalltown.

Referred to Committee on Military.

Senator Harsh presented a petition from W. W. McClelland and sixty-eight other citizens of Tingley, Iowa, asking for a foundlings' home for children.

Referred to Committee on Charitable Institutions.

Senator Perry introduced the following joint resolution:

JOINT RESOLUTION NO. 16.

Joint resolution and memorial to Congress for the early passage of the Wilson Bill:

WHEREAS, It is about four years since the passage of the McKinley bill, creating the highest rate of tariff taxes ever before known in this country in peace or war; and

WHEREAS, Its purpose is to prevent importations and destroy our commerce in order to compel the people to pay our own monopolies the high prices created by the tariff; and

WHEREAS, Its friends claimed that as a result of the high taxes the people would be compelled to pay, the better the times would be and the more prosperous the condition of the country; and

WHEREAS, The McKinley bill has demonstrated the fallacy of the protection theory, that the more you tax a man the more prosperous you make him, and

WHEREAS, Our manufacturing monopolies fear to operate their mills and produce goods from highly taxed raw materials; they know if the Wilson bill passes, giving them free raw materials, the prices of articles manufactured therefrom will be greatly cheapened to the consumer, so that manufactured goods under the McKinley bill cannot be sold in competition, and the producers thereof would in many cases be bankrupted; for these reasons the factories are at a stand-still awaiting the passage of the Wilson bill; and

WHEREAS, While the banks of the country are filled with an overflowing surplus, business men will not use the money for the purposes of importation and trade, on account of high prices created by the McKinley bill, when, as they believe, the Wilson bill is so soon to take effect and make cheaper all that the poor man has to buy; so they are halting and waiting for the low prices to come, under the operation of the Wilson bill; therefore, be it

Resolved by the General Assembly of the State of Iowa, That our Senators be instructed and our Representatives requested to use their utmost efforts to secure the early passage and taking effect of the Wilson bill, which will be the sure cause of starting the factories and all the wheels of industry into effective operation, and will call forth into active use the overflowing surplus in the banks; will revive our languishing commerce between this and the other nations of the earth, whereby the farmers' products, now too closely confined to an over-supplied home market, can reach the foreign market, where demanded, and will command better prices, and thus give relief to an over-taxed and over-burdened people.

Read first and second times by title and read for information.

On motion of Senator Funk, the joint resolution was referred to Committee on Retrenchment and Reform.

Senator Ellis introduced the following concurrent resolution:

CONCURRENT RESOLUTION RELATIVE TO THE PARDON OF WILLIAM SLOWEY.

Resolved by the Senate, the House concurring, That the Governor be advised to grant the application of William Slowey for a pardon, to be upon condition, however, that said William Slowey abstain from the use of all intoxicating liquors, avoid associating with any and all vicious characters and that he never engage, as proprietor or servant in the buying or selling of intoxicating liquors in the State of Iowa, and in all respects observe the laws of this State, and that upon the violation of any of the conditions hereof by said William Slowey then that said pardon be immediately revoked.

Laid over under the rule.

REPORTS OF COMMITTEES.

Senator Waterman, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House file No. 302, a bill for an act to amend sections 515, 516 and 532 of the Code of 1873, in relation to the appointment of marshals of cities of the second class and incorporated towns, their deputies and police, beg leave to report that they have

had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass,

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Senator Perry, from the Committee on Public Lands, submitted the following report:

MR. PRESIDENT—Your Committee on Public Lands, to whom was referred House file No. 184, a bill for an act to authorize the commissioners of the Iowa Soldiers' Home to grant right of way for an electric car line over State grounds, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the statement that a duplicate of this bill was introduced in the Senate, amended and passed, and since that time it has passed the House, we therefore recommend that the bill be indefinitely postponed.

T. B. PERRY,
Chairman.

Ordered passed on file.

Senator Conaway asked leave to recall Senate file No. 248 and House file No. 429 for the purpose of correcting errors in report.

Leave granted.

Senator Reynolds moved that House file No. 37 be read a third time now.

Senator Waterman offered the following substitute for section 1:

SECTION 1. That every person, firm or corporation operating a coal mine in Iowa shall pay their employes in lawful money of the United States, from the first to the third of each month, for all wages due for work done from the 1st to the 15th of the preceding month; and from the fifteenth to the twentieth day of each month they shall make a full settlement of all balances due for work done during the preceding month.

Upon this the yeas and nays were demanded.

On the question, "Shall the substitute be adopted?" the yeas were:

Senators Funk, Kelly, Waterman—3.

The nays were:

Senators Baldwin, Cheshire, Conaway, Downey, Garst, Gorrell, Harmon, Harsh, Henderson, Lewis, Palmer, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Vale—18.

Absent or not voting:

Senators Andrews, Bishop, Boardman, Brower, Carpenter, Chantry, Craig, Dent, Eaton, Ellis, Everall, Finn, Green, Groneweg, Harper, Hipwell, Hurst, Jamison, Jewett, Kilburn, Lehfeldt, Mattoon, Oleson, Penrose, Rowen, Terry, Turner, Upton, Yeomans—29.

So the substitute was lost.

Senator Finn offered the following amendment:

Amend section 2 by adding: "*Provided*, That nothing herein shall prevent the employer and employes from contracting for payment at any specified time or times, or by any payment in goods or property, and such contract being enforced.

Senator Reynolds moved that the special order being consideration of Senate file No. 36, be postponed until the bill under discussion is disposed of.

Carried.

The question being on the adoption of the amendment offered by Senator Finn.

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were :

Senators Andrews, Carpenter, Ellis, Finn, Funk, Garst, Harmon, Harper, Jamison, Kilburn, Phelps, Upton, Waterman—13.

The nays were:

Senators Baldwin, Bishop, Chantry, Cheshire, Craig, Downey, Eaton, Gorrell, Harsh, Henderson, Hurst, Kelly, Lewis, Mattoon, Palmer, Perrin, Perry, Rea, Reynolds, Rigger, Rowen, Turner, Vale—23.

Absent or not voting:

Senators Boardman, Brower, Conaway, Dent, Everall, Green, Groneweg, Hipwell, Jewett, Lehfeldt, Oleson, Penrose, Terry, Yeomans—14.

So the amendment was lost.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the House was asked:

Senate file No. 374, a bill for an act to legalize the election held in the town of Riverside, Washington county, Iowa.

Senate file No. 389, a bill for an act to legalize the acts and ordinances of the incorporated town of Oelwein, Fayette county, Iowa.

Senate file No. 392, a bill for an act to legalize the acts of Zion's Church of the Evangelical Association in Charles City, Floyd county, Iowa, and its board of trustees.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 330, a bill for an act to amend chapter 56, laws of the Twenty-fourth General Assembly.

House file No. 622, a bill for an act legalizing the acts of Daniel Dougherty, a justice of the peace in and for Dougherty township, Cerro Gordo county, Iowa.

House file No. 599, a bill for an act to amend section 1967 of the Code, as amended by section 3141 of the acts of the Twenty-fourth General Assembly.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorably body that the House has passed the following bills in which the concurrence of the Senate is asked:

House file No. 612, a bill for an act to legalize the incorporation of the town of Macksburg, Madison county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town.

House file No. 632, a bill for an act to legalize the incorporation of the town of Washta, Cherokee county, Iowa.

House file No. 595, a bill for an act to legalize the incorporation of the town of Riceville, Mitchell and Howard counties, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town.

I. K. WILSON,
Chief Clerk.

The question being shall the bill be read a third time now.

Carried.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Downey, Eaton, Everall, Funk, Gorrell, Groneweg, Harmon, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Vale, Waterman—39.

The nays were:

Senators Andrews, Dent, Ellis, Finn, Garst, Kilburn, Upton—7.

Absent or not voting:

Senators Green, Harper, Lehfeldt, Yeomans—4.

So the bill passed and the title was agreed to.

The hour for the special order having arrived, Senate file No. 36, a bill for an act providing a substitute for chapter 6, title 9, of the Code of 1873, for establishing and governing mutual loan and building associations, was taken up, with report of committee recommending amendments and when so amended that the same do pass, was read and adopted.

On motion of Senator Dent the bill was taken up section by section for consideration.

Senator Dent offered the following amendment:

Amend section 1 by striking out all after the words "purpose of," in the third line, and insert "encouraging industry, frugality, home building and saving among

their members. the accumulation of savings and the loan of such accumulations to their members only, and the accumulations of a fund to be returned with profits to its members when they have accumulated a certain sum, or at any time when such shall desire the same returned or the association shall desire to return the same."

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Andrews, Bishop, Dent, Downey, Eaton, Everall, Finn, Funk, Groneweg, Harmon, Harper, Harsh, Jamison, Kelly, Kilburn, Lewis, Oleson, Perry, Turner, Waterman—20.

The nays were:

Senators Baldwin, Boardman, Brower, Carpenter, Cheshire, Conaway, Craig, Ellis, Gorrell, Henderson, Jewett, Mattoon, Palmer, Penrose, Perrin, Reynolds, Rowen, Terry, Upton, Vale—20.

Absent or not voting:

Senators Chantry, Garst, Green, Hipwell, Hurst, Lehfeldt, Phelps, Rea, Rigger, Yeomans—10.

The vote being a tie, the President declared the amendment lost.

Senator Finn, president *pro tempore*, in the chair.

Senator Dent offered the following amendment:

Amend section 2 by striking out of lines four and five the words "in stated amounts for fees, dues, fines," and insert the words, "by single payments, periodical payments, fines for delinquent payments and interest."

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Dent, Downey, Groneweg, Harmon, Harper, Harsh, Kelly, Kilburn, Lewis, Oleson, Perry, Rea, Waterman—13.

The nays were:

Senators Andrews, Baldwin, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Eaton, Ellis, Gorrell, Hurst, Jamison, Jewett, Mattoon, Palmer, Penrose, Perrin, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale—25.

Absent or not voting:

Senators Bishop, Brower, Everall, Finn, Funk, Garst, Green, Henderson, Hipwell, Lehfeldt, Phelps, Yeomans—12.

So the amendment was lost.

Senator Dent offered the following amendment:

Amend section 2 by striking out the word "made," after the word "loans," in fifth line.

Lost.

Senator Dent offered the following amendment:

Amend section 2 by striking out the word "encumber," in the eighth line.

Adopted.

Senator Dent offered the following amendment:

Amend section 2 by striking out the words "legitimately pledged to by such loans," in the ninth line, and insert the words, "acquired by it in foreclosure or other proceedings upon loans made by it."

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Bishop, Dent, Finn, Garst, Groneweg, Harper, Harsh, Kelly, Kilburn, Perry, Phelps, Turner, Waterman—13.

The nays were:

Senators Andrews, Boardman, Carpenter, Chantry, Cheshire, Conway, Craig, Ellis, Gorrell, Harmon, Henderson, Hurst, Jamison, Jewett, Lewis, Mattoon, Penrose, Perrin, Rea, Rigger, Rowen, Terry, Upton, Vale—24.

Absent or not voting:

Senators Baldwin, Brower, Downey, Eaton, Everall, Funk, Green, Hipwell, Lehfeltdt, Oleson, Palmer, Reynolds, Yeomans—13.

So the amendment was lost.

Senator Dent offered the following amendment:

Amend section 2 by striking out all after the word "business" in line ten, to the word "more" in line twelve, and insert in lieu thereof the words "no person shall hold."

President Dungan in the chair.

Senator Lewis moved that House messages be taken up for consideration:

Carried.

HOUSE MESSAGES.

House file No. 330, a bill for an act to amend chapter 56, laws of the Twenty-fourth General Assembly, was read first and second times and referred to Committee on Public Libraries.

House file No. 622, a bill for an act legalizing the acts of Daniel Dougherty, a justice of the peace in and for Dougherty township, Cerro Gordo county, Iowa, was read first and second times and referred to Committee on Judiciary.

House file No. 599, a bill for an act to amend section 1967 of the Code, as amended by section 3141 of the acts of the Twenty-fourth General Assembly, was read first and second times and referred to Committee on Judiciary.

House file No. 612, a bill for a act to legalize the incorporation of the town of Macksburg, Madison county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town, was read first and second times.

Senator Kilburn moved that the rules be suspended and the bill be read a third time now.

Carried.

Senator Kilburn moved that the reading just finished be considered the third reading.

Carried.

On the question, "Shall House file No. 612 pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Chantry, Conaway, Craig, Dent, Downey, Funk, Garst, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jewett, Kelly, Kilburn, Lewis, Oleson, Palmer, Penrose, Perrin, Rea, Reynolds, Rowen, Terry, Turner, Upton, Vale—34.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Cheshire, Eaton, Ellis, Everall, Finn, Gorrell, Jamison, Lehfeldt, Mattoon, Perry, Phelps, Rigger, Rowen, Waterman, Yeomans—16.

So the bill passed and the title was agreed to.

Senator Harsh moved that the further consideration of House messages be postponed until the afternoon session.

Carried.

The President announced he had signed the following bills in the presence of the Senate, March 28th:

House files Nos. 593, 573, 617, 537, 181, 495, 522, 613, 116, 616, 489, 610, 235, 604, 590, 475, 5, 543, 79, 342; also that he had signed the following enrolled bills on March 29th, in the presence of the Senate: Senate files Nos. 217, 175, 151, 41, 115, 146, 17, 4, 100, 375, 128, 38, 94, 123, House file No. 287.

WARREN S. DUNGAN,
Lieutenant-Governor.

Senator Andrews moved the Senate do now adjourn.

Carried.

The Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2:30 o'clock P. M., and was called to order by President Dungan.

Senator Green was granted leave of absence until Saturday.

UNFINISHED BUSINESS.

House file No. 632, a bill for an act to legalize the incorporation of the town of Washta, Cherokee county, Iowa, was read first and second times and referred to Committee on Judiciary.

House file No. 595, a bill for an act to legalize the incorporation of the town of Riceville, Mitchell and Howard counties, the election of its officers and all acts done and ordinances passed by the council of said town, was read first and second times and referred to Committee on Judiciary.

The question being on the adoption of the amendment offered by Senator Dent.

Accepted and adopted.

Senator Cheshire moved the following amendment:

Amend Section 2 by striking out the words "legitimately" and "such," in the ninth line.

Adopted.

Senator Harmon offered the following substitute to section 3:

SEC. 3. The officers of the association shall consist of a board of trustees of not less than five nor more than nine, who shall be members of the association, and such board shall elect a president, vice-president, secretary and treasurer, and such other officers as may be authorized by the articles of incorporation or the by-laws.

The duties of the officers, their terms of office, the time and manner of their election, and the time of regular meetings of the officers and shareholders shall be determined by the articles of incorporation or by-laws; *provided*, that such regular meetings shall be held at least once a year, and that at such meeting at least one of the directors shall be chosen, and no director shall serve for more than three years without re-election.

Special meetings of the officers and shareholders may be called and held as provided by by-laws. Each shareholder not in arrears for dues, shall be entitled to one vote in person or by proxy at all meetings of the shareholders for each share of stock owned by him or held by him as trustee. All officers shall hold office until their successors are duly elected and assume the duties of their office. No association shall expire from neglect on its part to elect officers at the time prescribed.

Adopted.

Senator Conaway offered the following amendment.

Amend section 4 by inserting after the word "annually" in line four the following: "not to exceed 8 per cent per annum."

Adopted.

Senator Conaway offered the following amendment:

Amend section 4 by inserting after the word "exceeding" in line six the following: "8 per cent per annum."

Adopted.

Senator Conaway offered the following amendment:

Amend section 4 by striking out all after the word "exceeding" in line 6, to the word "but" in line 7.

Adopted.

Senator Dent offered the following amendment:

Amend section 4 by striking out the words "cannot loan its money to its members," in line ten, and insert in lieu thereof the words, "has five hundred dollars of unloaned funds on hand."

Lost.

Senator Dent offered the following amendment:

Strike out section 5.

Lost.

Senator Conaway offered the following substitute for section 6.

SEC. 6. The expense of any such corporation shall not exceed one per cent per annum on the par value of the stock.

Senator Dent offered the following amendment to the substitute:

The expense of such corporation, including salaries of officers and agents, shall be paid only out of the gross profit income, or out of the membership fees, or both, and shall not exceed 1 per cent per annum upon the par value of each share of stock in force.

Amendment to substitute adopted.

Senator Penrose offered the following amendment:

Amend section 7 by inserting after the word "money," in third line, the words "upon his shares of stock."

Lost.

Senator Dent offered the following amendment:

Amend section 7 by striking out the word "which" in the first line, and inserting the word "and" in lieu thereof.

Adopted.

Senator Dent offered the following amendment:

Amend section 7 by inserting after the words, "only upon," in second line, the words "good and ample."

Adopted.

Senator Dent offered the following amendment:

Amend section 7 by inserting after the words, "real estate," in second line, the words, "with double the amount of the loan."

Lost.

Senator Dent offered the following amendment:

Amend section 7 by striking out the word "its" in line four and inserting the word "his" in lieu thereof.

Adopted.

Senator Dent offered the following amendment:

Amend section 7 by inserting after the words "sum than" in line five, the words "ninety per cent of."

Lost.

Senator Carpenter offered the following amendment to the amendment offered by Senator Dent:

Amend the amendment by striking out the words "double the amount of" and inserting the words "one-third more than."

Lost.

Senator Cheshire moved that the vote by which the amendment offered by Senator Dent was adopted be reconsidered.

Lost.

Senator Conaway offered the following amendment:

Amend section 8 by striking out all after the second word, "the," in the first line, to the word "amount," in the second line.

Adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 204, a bill for an act to repeal sections 6, 7, 10, 11 and 12, chapter 165 of the acts of the Seventeenth General Assembly, and to enact a substitute therefor, also to amend sections 9 and 13, chapter 165 of the acts of the Seventeenth General Assembly in reference to capital punishment.

House file No. 45, a bill for an act conferring upon women the right to vote in certain cases.

House file No. 317, a bill for an act to provide for the payment of the expenses of district judges in certain cases.

I. K. WILSON,
Chief Clerk.

Senator Harmon offered the following substitute for section 10:

SEC. 10. All shares in such corporation shall be transferable on the books of the corporation, and no shares in such corporation, after three or more installments have been paid thereon shall be subject to forfeiture; the articles of incorporation or by-laws of all corporations organized or doing business by virtue of this act shall provide that after the date fixed by the articles of incorporation or by-laws when the stock is subject to withdrawal, the shareholder wishing to withdraw shall have the power to do so upon giving not less than thirty days' notice in writing, to the secretary, and after the expiration of said period such stockholder shall be entitled to receive the amount paid in the loan fund with the following annual rate of interest:

If he shall have been a member for one year, five per cent; if for two years, six per cent; if for three years or thereafter, seven per cent, first, however, deducting the membership fee and all fines for delinquent payments. At no time shall more than one-half of the unloaned fund in the treasury be applicable to the demands of the withdrawing shareholders, without the consent of the board of directors. No shareholder shall be entitled to withdraw whose stock is pledged as a security for a loan.

If a shareholder has become delinquent in payments on any shares for the

period named in the by-laws (not, however, less than three nor more than twelve months) such shares shall be cancelled and he shall, as to such shares, cease to be a member, and the shares shall be treated as though they had been voluntarily withdrawn, and if any sum be due after deducting membership fee, the discount above referred to, fines and losses, if any to date of cancellation, it shall be credited on the loan, if the shareholder be a borrower, and if not a borrower it shall be held subject to his order; but no profits shall be credited after cancellation nor shall any fines be charged to a deceased member's account from and after his decease, unless the legal representatives of such member assume future payments on the stock.

Adopted.

Senator Harmon offered the following amendment:

Amend section 11 by inserting after the word "president," in the fourth line of said section, the words, "or vice-president."

Accepted and adopted.

Senator Conaway offered the following amendment:

Amend section 12 by adding thereto after the word "thereafter," the following: "Such corporation is hereby prohibited from negotiating or issuing debenture bonds."

Adopted.

Senator Penrose offered the following amendment:

Amend section 12 by inserting after the word "shall" in first line the words "by its agents or otherwise solicit the sale of."

Adopted.

Senator Harper offered the following amendment:

Amend section 12 by striking out the words "in which it has filed articles of incorporation" in second line.

Senator Carpenter offered the following amendment to the amendment:

Strike out all of section 12 of the printed bill.

Adopted.

Senator Ellis offered the following substitute for section 12:

SEC. 12. Such corporations are hereby prohibited from negotiating or from issuing debenture bonds.

Adopted.

Senator Harmon offered the following amendment:

Amend section 14 by striking out the first four lines and inserting in lieu thereof the following:

The auditor and secretary of State and attorney-general or any two of said officers may make, or cause to be made, an examination of any building and loan association when they may think proper, or they may call upon any such corporation for a report of its state and condition for any given quarter which was passed, and for which no report has been made, and which they shall cause to be published for one day in Iowa.

Senator Finn offered the following amendment to the amendment:

Add after the word "attorney-general," the words, "neither of whom shall, while holding office, be interested in any building or loan association."

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment to the amendment be adopted?" the yeas were:

Senators Finn, Jamison, Kelly, Palmer, Waterman—5.

The nays were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Downey, Ellis, Everall, Funk, Garst, Gorrell, Harmon, Harper, Harsh, Henderson, Jewett, Lewis, Mattoon, Penrose, Perrin, Phelps, Reynolds, Rowen, Turner, Upton, Vale—31.

Absent or not voting:

Senators Dent, Eaton, Green, Groneweg, Hipwell, Hurst, Kilburn, Lehfelddt, Oleson, Perry, Rea, Rigger, Terry, Yeomans—14.

So the amendment to the amendment was lost.

The question being on the amendment offered by Senator Harmon

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Baldwin, Bishop, Downey, Everall, Finn, Gorrell, Groneweg, Harmon, Harper, Harsh, Henderson, Jamison, Jewett, Perrin, Phelps, Rea, Terry, Turner—18.

The nays were:

Senators Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Ellis, Funk, Garst, Kelly, Lewis, Mattoon, Penrose, Reynolds, Rowen, Vale, Waterman—17.

Absent or not voting:

Senators Andrews, Craig, Dent, Eaton, Green, Hipwell, Hurst, Kilburn, Lehfelddt, Oleson, Palmer, Perry, Rigger, Upton, Yeomans—15.

So the amendment was adopted.

Senator Cheshire offered the following amendment:

Amend section 14 by striking out the word "for" in the fourth line and inserting the word "in" in lieu thereof; also by striking out the words "day in" in same line and inserting in lieu thereof the words "issue of;" also by inserting after second word "in" in the sixth line of the printed bill the words "one issue of," and by striking out the words "for one week," in the same line.

Adopted.

Senator Phelps offered the following amendment:

Amend section 15 by striking out the words, "from which reports have been received for the preceding year," in the second and third lines and inserting in lieu thereof the words, "in the State."

Upon this the yeas and nays were demanded.

On the question "Shall the amendment be adopted?" the yeas were:

Senators Andrews, Baldwin, Bishop, Chantry, Downey, Eaton, Finn, Groneweg, Harmon, Harper, Harsh, Henderson, Jamison, Jewett, Kelly, Kilburn, Oleson, Palmer, Perrin, Phelps, Rea, Terry, —22.

The nays were:

Senators Carpenter, Cheshire, Conaway, Craig, Ellis, Funk, Garst, Gorrell, Lewis, Mattoon, Reynolds, Rigger, Rowen, Turner, Upton, Vale, Waterman—17.

Absent or not voting:

Senators Boardman, Brower, Dent, Everall, Green, Hipwell, Hurst, Lehfeldt, Penrose, Perry, Yeomans—11.

So the amendment was adopted.

Senator Bishop offered the following amendment:

Amend section 15 by striking out the words, "any amendment in," in the third line, and insert, "such amendments to."

Adopted.

Senator Ellis offered the following amendment:

Amend section 16 by striking out the last three words of line 6 and the first three words of line 7 and insert in lieu thereof the words "who may."

Lost.

INTRODUCTION OF BILLS.

By Senator Jewett, Senate file No. 409, a bill for an act to legalize the acts of Lewis Larson in qualifying as director of the independent district of Forest City, in the county of Winnebago, State of Iowa.

Read first and second times and referred to Committee on Judiciary.

REPORTS OF COMMITTEES.

Senator Conaway, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 298, a bill for an act to regulate patent and proprietary medicines, pills, appliances and nostrums, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

A. B. CONAWAY,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred House file No. 429, a bill for an act to provide for an additional member of the State Board of Health, beg leave to report that they have had the same under

consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

A. B. CONAWAY,
Chairman.

Ordered passed on file.

Senator Harper introduced the following resolution, and moved its adoption:

Resolved, That the President of the Senate appoint a committee to draft resolutions of condolence in the case of the death of Hon. J. Wilson Williams, a former member of this body, whose death occurred August 29, 1893, and that a copy of said resolutions be mailed by the Secretary to the family of the said deceased ex-member.

Adopted.

The President appointed as such committee Senators Harper, Harsh and Kelly.

House file No. 204, a bill for an act to repeal sections 6, 7, 10, 11 and 12 of chapter 165 of the acts of the Seventeenth General Assembly, and to enact a substitute therefor; also, to amend sections 9 and 13, chapter 165, of the acts of the Seventeenth General Assembly, in reference to capital punishment, was read first and second times.

Senator Harsh moved that House file No. 204 be taken up for consideration now.

Senator Perry moved that further reading of the bill be dispensed with and that the bill be placed on the calendar.

Upon this the yeas and nays were demanded.

On the question, "Shall the bill be placed on the calendar?" the yeas were:

Senators Baldwin, Downey, Ellis, Gorrell, Groneweg, Harper, Hurst, Kelly, Palmer, Perry, Phelps, Terry—12.

The nays were:

Senators Bishop, Boardman, Brower, Carpenter, Chantry, Conaway, Craig, Eaton, Everall, Funk, Garst, Harmon, Harsh, Henderson, Jamison, Jewett, Kilburn, Lewis, Penrose, Perrin, Rea, Reynolds, Rikken, Turner, Upton—25.

Absent or not voting:

Senators Andrews, Cheshire, Dent, Finn, Green, Hipwell, Lehfeldt, Mattoon, Oleson, Rowen, Vaie, Waterman, Yeomans—13.

So the motion was lost.

Senator Upton moved that further consideration of the bill be postponed until 9 o'clock A. M., to-morrow.

Carried.

HOUSE MESSAGES.

House file No. 317, a bill for an act to provide for the payment of the expenses of district judges in certain cases, was read first and second times and referred to Committee on Judiciary.

House file No. 45, a bill for an act conferring upon women the right to vote in certain cases, was read first and second times.

Senator Kelly moved to take up for consideration House file No. 45.
Lost.

House file No. 45 was read first and second times and passed on file.

Yesterday's journal was read, corrected and approved.

Senator Conaway asked leave to file a motion to reconsider the vote by which Senate file No. 195 failed of passage.

Leave granted and motion filed.

Senator Ellis moved that the Senate do now adjourn until 7:25 o'clock P. M.

Carried.

The Senate adjourned.

•

EVENING SESSION.

Senate met pursuant to adjournment, at 7:25 o'clock P. M., and was called to order by President Dungan.

Senator Dent moved that the Senate take a recess, subject to call of the President.

Carried.

Recess.

The Senate reconvened.

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

Whereupon the Senate adjourned to meet the House in joint convention.

JOINT CONVENTION.

Convention called to order by Lieutenant-Governor Dungan, who stated that the joint convention met in pursuance of a joint resolution passed by both Houses for the purpose of selecting a site for a hospital for the insane in northwestern Iowa, according to a law just passed by the General Assembly. The roll call was ordered which resulted as follows:

Present:

Messrs. Allen, Andrews, Baldwin, Barker, Bell, Bishop, Bitterman, Blanchard, Boardman, Brinton, Britt, Brooks, Brower, Burnquist, Byers, Carpenter, Carter, Chantry, Chapman, Chassell, Cheshire, Conaway, Coonley, Cooper of Montgomery, Cooper of Pottawattamie, Cornwall, Craig, Crow, Davis, Davison, Dent, Diederich, Doane, Doubleday, Dowell, Downey, Early, Eaton, Ellis, Ellison, Endicott, Everall, Finch, Finn, Frazee, Funk of Dickinson, Funk of Hardin, Garst, Gorrell, Griswold, Groneweg, Gurley, Harmon, Harper, Harri- man, Harsh, Haselton, Haugen, Henderson, Hinman, Hipwell, Hom- righaus, Hoover, Horton, Hurst, Jamison, Jay, Jester, Jewett, Jones, Kelly, Kilburn, Klemme, Lauder, Lewis, Linderman, McCann, McGonigle, McNeeley, McQuinn, Martin, Mattoon, Miller of Cherokee, Miller of Lee, Milliman, Mitchell, Moore, Morris of Clarke, Morris of Sioux, Morrison, Murray, Myerly, Nicoll, Nietert, Oleson, Palmer, Patterson, Pattison, Penrose, Perrin, Perry, Phelps, Ranck, Rea, Reed, Reynolds, Rigger, Robinson, Rogge, Root, Ross, Rowen, Saberson, Sawyer, Schultz, Sessions, Shriver, Smith, Sowers, Spaulding, Spearman, Stephens, Steen, Stillmunkes, St. John, Stone, Stuntz, Taylor, Terry, Trewin, Turner, Upton, Vale, Van Gilder, Waterman, Watkins, Watters, Weaver, Wilken, Williams of Fre- mont, Williams, of Howard, Wilson, Wood, Wyckoff, Young of Calhoun, Young of Delaware—146.

Absent:

Messrs. Green, Lehfeldt, Snoke, Yeomans—4.

On part of the Senate President Dungan appointed as tellers Sen- ators Waterman and Penrose.

Speaker Stone appointed as tellers on the part of the House Messrs. Brinton and Reed.

Senator Chantry moved that the roll be called and as the roll is called that members shall come forward and deposit their votes with the tellers.

Carried.

The clerk then called the roll.

The first ballot resulted as follows:

| | |
|----------------------------|-----|
| Whole number voting..... | 144 |
| Necessary to a choice..... | 73 |
| Cherokee.... | 44 |
| Sheldon..... | 33 |
| Le Mars..... | 31 |
| Storm Lake..... | 20 |
| Ft. Dodge..... | 16 |

SECOND BALLOT.

| | |
|---------------------------------|-----|
| Whole number of votes cast..... | 148 |
| Necessary to choice..... | 75 |
| Cherokee | 38 |
| Le Mars... .. | 37 |
| Sheldon..... | 35 |
| Ft. Dodge..... | 18 |
| Storm Lake..... | 18 |
| Pocahontas | 2 |

THIRD BALLOT.

| | |
|---------------------------------|-----|
| Whole number of votes cast..... | 145 |
| Necessary to choice..... | 73 |
| Cherokee..... | 40 |
| Le Mars... .. | 38 |
| Sheldon | 34 |
| Ft. Dodge..... | 17 |
| Storm Lake..... | 15 |
| Pocahontas..... | 1 |

FOURTH BALLOT.

| | |
|----------------------------------|-----|
| Whole number of votes cast. | 144 |
| Necessary to choice..... | 73 |
| Cherokee..... | 40 |
| Le Mars..... | 38 |
| Sheldon..... | 31 |
| Ft. Dodge..... | 24 |
| Storm Lake... .. | 11 |

FIFTH BALLOT.

| | |
|---------------------------------|-----|
| Whole number of votes cast..... | 147 |
| Necessary to choice..... | 74 |
| Le Mars..... | 41 |
| Cherokee..... | 38 |
| Sheldon..... | 33 |
| Ft. Dodge..... | 22 |
| Storm Lake..... | 13 |

SIXTH BALLOT.

| | |
|---------------------------------|-----|
| Whole number of votes cast..... | 145 |
| Necessary to choice..... | 73 |
| Le Mars..... | 43 |
| Sheldon | 39 |
| Cherokee..... | 32 |
| Ft. Dodge | 18 |
| Storm Lake..... | 9 |
| Des Moines..... | 4 |

SEVENTH BALLOT.

| | |
|---------------------------------|-----|
| Whole number of votes cast..... | 143 |
| Necessary to choice | 72 |
| Le Mars..... | 41 |
| Cherokee..... | 40 |
| Sheldon..... | 39 |
| Ft. Dodge... .. | 12 |
| Storm Lake... .. | 10 |
| Valley Junction..... | 1 |

EIGHTH BALLOT.

| | |
|---------------------------------|-----|
| Whole number of votes cast..... | 143 |
| Necessary to choice..... | 72 |
| Le Mars..... | 45 |
| Cherokee..... | 45 |
| Sheldon..... | 34 |
| Ft. Dodge..... | 11 |
| Storm Lake..... | 8 |

NINTH BALLOT.

| | |
|---------------------------------|-----|
| Whole number of votes cast..... | 144 |
| Necessary to choice..... | 73 |
| Cherokee..... | 47 |
| Le Mars..... | 44 |
| Sheldon..... | 34 |
| Ft. Dodge..... | 11 |
| Storm Lake..... | 8 |

TENTH BALLOT.

| | |
|----------------------------------|-----|
| Whole number of votes cast | 144 |
| Necessary to choice..... | 73 |
| Cherokee..... | 44 |
| Le Mars..... | 39 |
| Sheldon..... | 30 |
| Ft. Dodge..... | 14 |
| Storm Lake..... | 13 |
| Forest City..... | 2 |
| Pocahontas..... | 1 |
| Tama City..... | 1 |

ELEVENTH BALLOT.

| | |
|---------------------------------|-----|
| Whole number of votes cast..... | 143 |
| Necessary to choice..... | 72 |
| Cherokee..... | 46 |
| Le Mars..... | 39 |
| Sheldon..... | 34 |
| Ft. Dodge..... | 15 |
| Storm Lake..... | 8 |
| Pocahontas..... | 1 |

TWELFTH BALLOT.

| | |
|---------------------------------|-----|
| Whole number of votes cast..... | 142 |
| Necessary to choice..... | 72 |
| Cherokee..... | 49 |
| Le Mars..... | 43 |
| Sheldon..... | 38 |
| Ft. Dodge..... | 12 |

THIRTEENTH BALLOT.

| | |
|---------------------------------|-----|
| Whole number of votes cast..... | 143 |
| Necessary to choice..... | 73 |
| Cherokee..... | 50 |
| Sheldon..... | 47 |
| Le Mars..... | 46 |

FOURTEENTH BALLOT.

| | |
|---------------------------------|-----|
| Whole number of votes cast..... | 146 |
| Necessary to choice..... | 74 |
| Cherokee..... | 82 |
| Sheldon..... | 64 |

Cherokee having received a majority of all the votes cast was declared the site for Hospital for the Insane in Northwestern Iowa.

The following certificate was read before the joint convention:

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, Thursday, March 29, 1894. }

To Frank D. Jackson, Governor of Iowa:

This is to certify that at a joint convention of the two houses of the Twenty-fifth General Assembly of the State of Iowa, held in pursuance of section 13 of substitute for Senate file No. 155, acts of the Twenty-fifth General Assembly, on Thursday, the 29th day of March, A. D. 1894, for the purpose of selecting the location for a new hospital for the insane in Northwestern Iowa, Cherokee, of Cherokee county, Iowa, having received a majority of the votes cast, is duly declared selected as the location for said hospital for the insane.

Signed in presence of the joint convention this 29th day of March, A. D. 1894.

WARREN S. DUNGAN,
President of the Senate.

HENRY STONE,
Speaker of the House of Representatives.

E. G. PENROSE,
Teller for the Senate.

W. H. BRINTON,
Teller for the House.

On motion of Mr. Taylor, the certificate was adopted.
Journal of the joint convention read and approved.

Mr. Reed moved that the joint convention do now dissolve, which motion prevailed, and the Senate retired.

Senate reconvened at 11:15 o'clock P. M.

Senator Andrews moved that the Senate do now adjourn.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, March 30, 1894. }

Senate met in regular session at 9 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. W. A. Black, of Des Moines.

PETITIONS AND MEMORIALS.

Senator Gorrell presented a petition from farmers and business men of Jasper county, asking for the repeal of the hunters' trespass bill.

Referred to Committee on Agriculture.

Senator Rowen presented a petition from citizens of Wright county, Iowa, on same subject.

Same reference.

Senator Harper presented petitions from citizens of Des Moines county, Iowa, on same subject.

Same reference.

Also a petition from farmers and dairymen of Hamilton county, asking passage of Senate file No. 221.

Same reference.

Senator Boardman presented a petition from farmers and dairymen of Jones county, on same subject.

Same reference.

Senator Downey presented a petition from the mayor and members of the city council of Keokuk, Iowa, remonstrating against the passage of a law limiting the jurisdiction of superior courts.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Kelly, Senate file No. 410, a bill for an act to legalize certain conveyances made to the Congregational Society of Iowa City, and acts done by it before its incorporation.

Read first and second times.

Senator Kelly moved that the rules be suspended, the bill considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Gorrell, Groneweg, Harmon, Harper, Harsh, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Rowen, Terry, Turner, Waterman—39.

The nays were:

None.

Absent or not voting:

Senators Andrews, Green, Henderson, Hipwell, Hurst, Mattoon, Reynolds, Rikken, Upton, Vale, Yeomans—11.

So the bill passed and the title was agreed to.

Senator Perrin moved that House file No. 330 be recalled from the Committee on Public Libraries.

Carried.

Senator Perrin moved that House file No. 330, a bill for an act to amend chapter 56 of the laws of the Twenty-fourth General Assembly, be taken up for consideration now.

Carried.

Senator Perrin moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Dent, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Gorrell, Groneweg, Harmon, Harper, Harsh, Henderson, Hurst, Jamison, Jewett, Kelly, Kilburn, Lenfeldt, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Rowen, Terry, Turner, Waterman—41.

The nays were:

None.

Absent or not voting:

Senators Craig, Green, Hipwell, Mattoon, Reynolds, Rikken, Upton, Vale, Yeomans—9.

So the bill passed and the title was agreed to.

On motion of Senator Garst, Senate file No. 339, a bill for an act to amend chapter 1 of title 9 of the Code, as amended by chapter 86, acts of the Twenty-second General Assembly, with report of committee recommending passage, was taken up, considered, and the report of the committee was read.

Senator Garst moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Everall, Funk, Garst, Gorrell, Groneweg, Harmon, Harper, Harsh, Henderson, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Vale, Waterman—42.

The nays were:

None.

Absent or not voting:

Senators Andrews, Brower, Finn, Green, Hipwell, Mattoon, Upton, Yeomans—8.

So the bill passed and the title was agreed to.

On motion of Senator Brower, Senate file No. 405, a bill for an act to repeal section 2 of chapter 70, acts of the Twenty-fourth General Assembly of the State of Iowa, to increase and continue in force the commission, and to appropriate money to carry out the provisions of the law in reference to the erection of a State soldiers' monument, was taken up and considered.

Senator Brower moved that the rule be suspended and the bill be considered engrossed and read a third time now.

Senator Andrews offered the following amendment:

Amend section 2 by striking out all that portion after the word "to-wit," in the fifth line of the printed bill, up to and including the word "purposes," in the twelfth line of the printed bill, and inserting the following therefor: "Blocks nine and twenty-three in the original town of De Moine, Polk county, Iowa, or so much thereof as may be necessary said property being southeast of the capitol grounds."

Senator Finn gave notice that he would offer an amendment to section 1 when the bill was again taken up for consideration.

REPORTS OF COMMITTEES.

Senator Rowen, from the Committee on Penitentiaries and Pardons, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiaries and Pardons, to whom was referred Frank P. Watkins' case for pardon from the Anamosa penitentiary, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that he be not granted a pardon.

J. E. ROWEN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Penitentiaries and Pardons, to whom was referred the application of William Slowey for pardon from the

penitentiary at Anamosa, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that he be granted a pardon.

J. E. ROWEN,
Chairman.

Ordered passed on file.

Senator Chantry, from the Committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred Senate file No. 248, a bill for an act to make further provisions for the care of insane persons, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, for the reason that a bill having the same object in view has been favorably reported to the Senate.

A. J. CHANTRY,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred Senate file No. 265, a bill for an act to authorize the warden of the penitentiary at Ft. Madison, Iowa, to use a portion of the visitors' fund for bus hire, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

A. J. CHANTRY,
Chairman.

Ordered passed on file.

Senator Phelps, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined the following bills and found them correctly enrolled and have this day presented the same to the Governor for his approval:

Senate file No. 115, an act to provide for the proper interment of pioneers on Okoboji and Spirit Lakes, massacred by the Sioux Indians in 1857, and for the erection of a commemorative monument.

Senate file No 146, an act for the better protection of persons manufacturing bottling or selling soda water, mineral or aerated water, cider, milk, cream or other lawful beverages, owning and using boxes, bottles, casks, kegs, and barrels.

Senate file No. 94, an act authorizing the commissioners of the Iowa Soldiers' Home to grant right of way for an electric street car line over State grounds.

Senate file No. 38, an act to amend section 5, chapter 70, laws of the Twentieth General Assembly, as amended by chapter 42, laws of the Twenty-second General Assembly, relating to damages done by dogs.

Senate file No. 128, an act to provide a room for the Grand Army of the Republic, department of Iowa, in the capitol building, and for an appropriation therefor.

Senate file No. 355, an act to establish a School of Mines for the State of Iowa.

Senate file No. 100, an act appropriating money to pay Captain Washington Galland for services as captain in organizing militia and volunteers for the protection of the State, and for services in the army of the United States during the

War of the Rebellion, and to reimburse him for moneys expended in supporting and maintaining said militia and volunteers when so organized.

Substitute for Senate file No. 4, an act limiting the compensation of justices of the peace and constables and providing for reports to the county board of supervisors and repealing section 592 of the Code of Iowa.

Senate file No. 41, an act making appropriations for the Iowa State Agricultural College.

Senate file No. 157, an act making appropriations for the Benedict Home at Des Moines, Iowa.

Senate file No. 123, an act making an appropriation for the State Normal School at Cedar Falls, Iowa.

Substitute for Senate file No. 217, an act making an appropriation for the College for the Blind at Vinton, Iowa.

Senate file No. 17, and act providing for limiting compensation of sheriffs and their deputies.

Substitute for Senate file No. 175, an act making an appropriation for the Hospital for the Insane at Clarinda, Iowa.

JULIAN PHELPS,
Chairman.

The hour for the special order having arrived, consideration of Senate file No. 36 was resumed.

Senator Conaway offered the following amendment:

Amend section 9 by inserting after the word "organized," in the second line, the following: "Or that may hereafter be organized."

Adopted.

Senator Conaway offered the following amendment:

Amend section 17 by inserting in first line, before the word "building," the words "loan and."

Adopted.

Senator Lewis offered the following amendment:

Amend section 17 by striking out the word "act," last word in section, and inserting in lieu thereof the word "State."

Adopted.

Senator Cheshire offered the following amendment:

Amend section 18, by striking out the words "or titles" in the second line, and by placing the words "deposit" and "saving" in quotation marks.

Senator Bishop offered the following amendment to the amendment:

Strike out all of section 18.

Amendment accepted and adopted.

Senator Harper offered the following amendment:

Amend section 18 by striking out the words and figures, "forty thousand dollars (\$40,000)" and inserting in lieu thereof the words and figures, "one hundred thousand dollars (\$100,000)."

Senator Bishop offered the following amendment to the amendment:

Strike out the words and figures, "one hundred thousand dollars (\$100,000)" and insert the words and figures, "fifty thousand dollars (\$50,000)."

Adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 73, a bill for an act to amend section 912 of the Code, as amended by section 1, chapter 155. of the acts of the Seventeenth General Assembly.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 356, a bill for an act to amend chapter 104, laws of 1878, regarding reports of insurance companies to State Auditor.

House file No. 218, a bill for an act to amend section 1103 of the Code, authorizing board of supervisors to appoint delegates to attend meetings of the Agricultural Society.

House file No. 254, a bill for an act to amend section 3735 of the Code of 1873, relating to the manner of taking depositions.

I. K. WILSON,
Chief Clerk.

Senator Finn moved that the vote by which the substitute for section 12 was adopted be reconsidered.

Upon this the yeas and nays were demanded.

On the question, "Shall the vote by which the substitute for section 12 was adopted be reconsidered?" the yeas were:

Senators Baldwin, Chantry, Conaway, Ellis, Finn, Gorrell, Harmon, Harsh, Henderson, Jewett, Kilburn, Palmer, Rea, Reynolds, Turner, Vale—16.

The nays were:

Senators Andrews, Bishop, Boardman, Carpenter, Cheshire, Craig, Dent, Downey, Everall, Funk, Garst, Groneweg, Harper, Hurst, Kelly, Lehfeltd, Lewis, Mattoon, Oleson, Penrose, Perrin, Perry, Phelps, Rigger, Rowen—25.

Absent or not voting:

Senators Brower, Eaton, Green, Hipwell, Jamison, Terry, Upton, Waterman, Yeomans—9.

So the motion to reconsider was lost.

Senator Groneweg offered the following amendment:

Amend section 19, in line 5, by striking out all after the word "business" in

line five and all of line six and inserting in lieu thereof the following beginning with the word "and:" "the same may be surrendered to such association upon filing with the auditor of this State the affidavit of the president or vice-president and secretary of such association that such indebtedness has been paid in full, and any mortgage upon which default has been made may be surrendered as aforesaid for foreclosure upon affidavit that default exists and such mortgage is withdrawn for foreclosure; *provided, however*, that no mortgage or mortgages shall be withdrawn until another mortgage or mortgages for an equal amount of those withdrawn, has been deposited in lieu thereof."

Adopted.

Senator Carpenter offered the following amendment:

Amend section twenty-one, the words "in this State," in fourth line.

Adopted.

Senator Cheshire offered the following amendment:

Amend section 19 by striking out the word "nation," in the second line, and insert in lieu thereof the word "country;" also, by striking out the word "the," in the fourth line, and the word "this," in the fifth line.

Adopted.

Senator Carpenter offered the following amendment:

Amend section 21 of printed bill by striking out the words "relating thereto," and the figures "(\$25,000)," in the second line; also, insert the words "authorizing it," after the word "certificate," in the third line of said section of printed bill; also, strike out all after the word, "supervision," in the fourth line of said section, and insert the words "as provided herein."

Adopted.

Senator Harper offered the following as a new section to follow section 22:

Insert between sections 22 and 23 the following:

SEC. —. Actions may be brought against any foreign building and loan association in any county of the State where the plaintiff resides, and the defendant shall have the same time to appear and answer or plead as is now provided by law in ordinary cases.

Adopted:

Senator Carpenter offered the following amendment:

Amend Senate file No. 36 by transposing sections as follows: Number section 23 section 19; number section 21 section 22.

Adopted.

Senator Carpenter offered the following amendment:

Amend Senate file No. 36 by adding the three sections as follows:

SEC. 24. No person shall act within this State as agent of any such association or company for the purpose of soliciting subscriptions to stock, selling shares or making loans until he shall have received from the auditor of State a certificate stating that he is the agent of the association or company, naming it; the nature

and scope of his authority as such agent, and that the association or company for which he acts has been authorized to transact the business therein named.

SEC. 25. Any person acting as agent as defined herein without first obtaining such certificate shall be deemed guilty of a misdemeanor.

SEC. 26. The auditor shall receive as fees the sum of two dollars for each certificate issued to an agent of a foreign company, and fifty cents for every other certificate, to be accounted for as provided by section 3778 of the Code of 1873.

Adopted.

Senator Kelly offered the following amendment:

SEC. —. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the *Iowa State Register* and *Des Moines Leader*, newspapers published at Des Moines, Iowa.

Adopted.

Senator Harper offered the following amendment:

Amend section 1 by adding after the word "thereon," the following: "*Provided, however,* That nothing in this act shall be so construed as to apply to any association of this character organized and doing business only in one city, town or county."

Lost.

Senator Harper offered the following amendment:

Add to section 7 the following: "No evidence of indebtedness taken by such associations for the return of any loan shall be assignable or transferable in any manner so as to prevent the discharge thereof by payment to the association."

Senator Kelly moved that House messages be taken up for consideration.

Carried.

HOUSE MESSAGES.

House file No. 356, a bill for an act to amend chapter 104, laws of 1878, regarding reports of insurance companies to State auditor, was read first and second times and referred to Committee on Insurance.

House file No. 218, a bill for an act to amend section 1103 of the Code, authorizing boards of supervisors to appoint delegates to attend meetings of the Agricultural Society, was read first and second times and passed on file.

House file No. 254, a bill for an act to amend section 3735 of the Code of 1873, relating to the manner of taking depositions, was read first and second times and passed on file.

House file No. 73, a bill for an act to amend section 912 of the Code as amended by section 1, chapter 155 of the acts of the Seventeenth General Assembly, was read first and second times and passed on file.

Senator Henderson moved that the Senate do now adjourn until 3 o'clock P. M.

Carried.

The Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 3:00 o'clock P. M., and was called to order by President Dungan.

Journal of yesterday was read, corrected and approved.

Senator Gorrell was excused until Monday morning.

Senator Harper, from the special committee appointed to draft suitable resolutions upon the death of J. Wilson Williams submitted its report as follows:

DES MOINES, IOWA, March 30, 1894.

WHEREAS, The all-wise Providence has seen fit to remove by death Hon. J. Wilson Williams, an ex-member of this body, and an eminent citizen of our State, therefore be it

Resolved, That this body, recognizing the eminent and valuable services of the deceased at a period in the history of our loved State when it was making progress and character that has given her a splendid place in the record of time, and

Resolved, That in the death of the Hon. J. Wilson Williams we are called to mourn the loss of an able and conscientious citizen, one devoted to all that was for the best interest of the State that was so dear to him. We remember the splendid qualities of his great and generous heart, the noble attribute of his manhood, and shall ever cherish with fond and sincere recollection this lovable man.

Resolved, That this body extend to the sorrowing wife, family and friends of the deceased our sincere sympathy and condolence.

Resolved, That these resolutions be printed in the Senate journal, and an engrossed copy of the same be mailed by the Secretary to the widow of the deceased.

T. G. HARPER,

J. B. HARSH,

M. J. KELLY,

Committee.

Senator Harper moved that the report be

Adopted by a rising vote, and the President of the Senate expressed his great pleasure in being able to announce that the resolutions were unanimously adopted.

Senator Rowen asked leave to withdraw the report of Committee on Penitentiary and Pardons in regard to the pardon of F. P. Watkins.

Leave granted.

REPORT OF STANDING COMMITTEE.

Senator Craig, from the Committee on Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred Senate file No. 241, a bill for an act to control the charges of telegraph companies in the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. M. CRAIG,
Chairman.

Ordered passed on file.

Senator Ellis asked leave to withdraw his motion to reconsider the vote by which Senate file No. 87 passed the Senate.

Leave granted and motion withdrawn.

Senator Lewis asked leave to withdraw his motions to reconsider the votes by which House files Nos. 248 and 407 passed the Senate.

Leave granted and the motions withdrawn.

The question being on the adoption of the amendment to Senate file No. 36, offered by Senator Harper.

Adopted.

Senator Harmon offered the following substitute for section 14:

Amend by substituting for section 14 the following:

SEC. 14. The person or persons appointed under the laws of this State to make an examination of corporations doing a banking business, shall make an examination and report of every corporation organized under the laws of this State for the purpose named in this act, at least once a year, and the rights, powers and duties, compensation and privileges of such person or persons in connection with such examination shall be the same as are or may be provided by law with reference to examinations of corporations doing a banking business.

Adopted.

Senator Funk offered the following amendment:

Amend section 14 by adding the following: "*Provided*, that none of the provisions of this section shall apply to building and loan associations doing business wholly within the limits of a single county having a population not to exceed 25,000, except at the written request of five stockholders of such association filed with the Auditor of State.

Lost.

The Governor's Private Secretary appeared and presented a

MESSAGE FROM THE GOVERNOR.

STATE OF IOWA,
EXECUTIVE OFFICE. }
DES MOINES, March 30, 1894. }

MR. PRESIDENT—I am instructed by the Governor to inform you that he has approved, signed and deposited in the office of the Secretary of State the following bills:

Senate file No. 41, an act making an appropriation for the Iowa State Agricultural College.

Senate file No. 146, an act for the better protection of persons manufacturing, bottling, or selling soda water, mineral or aerated water, cider, milk, cream or other lawful beverages, owning and using boxes, bottles, casks, kegs and barrels.

Senate file No. 115, an act to provide for the proper interment of the remains of pioneers on Okoboji and Spirit Lakes, massacred by the Sioux Indians in 1857, and for the erection of a commemorative monument.

Senate file No. 17, an act providing for limiting the compensation of sheriffs and their deputies.

Senate file No. 94, an act authorizing the commissioners of the Iowa Soldiers' Home to grant right of way for an electric street car line over State grounds.

Senate file No. 38, an act to amend section 5, chapter 70, laws of the Twentieth General Assembly, as amended by chapter 42, laws of the Twenty-second General Assembly, relating to damage done by dogs.

Senate file No. 128, an act to provide a room for the Grand Army of the Republic, Department of Iowa, in the Capitol building, and for an appropriation therefor.

Senate file No. 355, an act to establish a school of mines for the State of Iowa.

Senate file No. 100, an act appropriating money to pay Captain Washington Galland for services as captain in organizing militia and volunteers for the protection of the State, and for services in the Army of the United States during the war of the rebellion, and to reimburse him for moneys expended in supporting and maintaining said militia and volunteers when so organized.

Senate file No. 4, an act limiting the compensation of justices of the peace and constables and providing for reports to the county board of supervisors and repealing section 592 of the Code of Iowa.

Senate file No. 123, an act making appropriation for the State Normal School at Cedar Falls, Iowa.

Senate file No. 157, an act making an appropriation for Benedict Home at Des Moines, Iowa.

Senate file No. 175, an act making appropriations for the Hospital for the Insane at Clarinda, Iowa.

Senate file No. 217, an act making appropriations for the College for the Blind at Vinton, Iowa.

W. S. RICHARDS,
Private Secretary.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 602, a bill for an act to enable cities of the first and second class to issue bonds payable out of special assessments for street improvements.

House file No. 615, a bill for an act to appropriate money to procure for the Governor's rooms in the capitol a portrait of ex-Governor William M. Stone.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 313, a bill for an act amending section 1, chapter 14, acts of the Twenty-third General Assembly, as amended by section 1 of chapter 12, acts of the Twenty-fourth General Assembly, and granting additional powers to certain cities.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate file No. 52, a bill for an act to amend section 17, chapter 94, of the Nineteenth General Assembly, relating to the dieting of prisoners.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 261, a bill for an act for the relief of Frederick M. Hull, of the county of Webster.

I. K. WILSON,
Chief Clerk.

Senator Harmon offered the following amendment:

Add to substitute for section 14: "*Provided*, that the auditor shall cause the report of such examination to be published in one issue of some daily newspaper printed in the county where such corporation is located, or if there be no such newspaper published in said county, then such report shall be published in one issue of some weekly newspaper printed in said county, and the expense of said publication shall be paid by such association.

Adopted.

Senator Garst moved that the vote by which the substitute for section 6 was adopted be reconsidered.

Upon this the yeas and nays were demanded.

On the question, "Shall the vote by which substitute for section 6 was adopted be reconsidered?" the yeas were:

Senators Boardman, Carpenter, Chantry, Cheshire, Conaway, Eaton, Ellis, Funk, Garst, Harmon, Henderson, Hipwell, Hurst, Jamison, Lewis, Mattoon, Perrin, Terry, Turner, Upton, Vale—21.

The nays were:

Senators Baldwin, Bishop, Brower, Dent, Downey, Everall, Finn, Groneweg, Harper, Harsh, Kelly, Kilburn, Oleson, Penrose, Perry, Rea, Waterman—17.

Absent or not voting:

Senators Andrews, Craig, Gorrell, Green, Jewett, Lehfeldt, Palmer, Phelps, Reynolds, Rigger, Rowen, Yeomans—12.

So the motion to reconsider prevailed.

Senator Garst offered the following substitute for section 6:

SEC. 6. The expenses of any such corporation shall not exceed one per cent per annum of the par value of its stock.

Upon this the yeas and nays were demanded.

On the question, "Shall the substitute for section 6 be adopted?" the yeas were:

Senators Boardman, Brower, Carpenter, Cheshire, Conaway, Ellis, Garst, Hipwell, Mattoon, Perrin, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale—17.

The nays were:

Senators Baldwin, Bishop, Chantry, Craig, Dent, Downey, Eaton, Everall, Finn, Funk, Harmon, Harper, Harsh, Henderson, Hurst, Jamison, Jewett, Kelly, Kilburn, Lewis, Oleson, Palmer, Penrose, Perry, Rea, Waterman—26.

Absent or not voting:

Senators Andrews, Gorrell, Green, Groneweg, Lehfeldt, Phelps, Yeomans—7.

So the substitute was lost.

The question being upon the adoption of section 6 as before the vote was reconsidered.

Adopted.

Senator Finn offered the following amendment:

Amend section 9 by inserting after the word "premiums," in the eighth line the words, "not to exceed 15 per cent."

Adopted.

Senator Penrose moved to strike out the word "full" in fifth line of section 13.

Carried.

Senator Cheshire offered the following amendment:

Amend section 19 as amended by inserting after the word "any" in the first line the word "greater," and by inserting after the word "therein" in fourth line the words "than is imposed upon foreign associations doing business in this State."

Adopted.

Senator Dent moved that special order to follow special order now under consideration be set down for 10 o'clock A. M. to-morrow.

Carried.

Senator Perry moved to make House file No. 22 a special order to follow the special order set down for to-morrow at 10 o'clock A. M.

Upon this the yeas and nays were demanded.

On the question, "Shall House file No. 22 be made a special order?" the yeas were:

Senator Baldwin, Bishop, Conaway, Downey, Eaton, Everall, Groneweg, Hipwell, Hurst, Jewett, Kelly, Lewis, Oleson, Palmer, Perry, Reynolds, Vale, Waterman—18.

The nays were:

Senators Andrews, Boardman, Brower, Carpenter, Chantry, Cheshire, Dent, Funk, Garst, Harmon, Harper, Harsh, Henderson, Jamison, Kilburn, Mattoon, Penrose, Perrin, Rea, Rikken, Rowen, Turner, Upton—23.

Absent or not voting:

Senators Craig, Ellis, Finn, Gorrell, Green, Lehfeldt, Phelps, Terry, Yeomans—9.

So the motion was lost.

Senator Conaway moved the rules be suspended, Senate file No. 36 be engrossed and read a third time to-morrow.

Carried.

Senator Palmer moved that the Senate do now adjourn.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Saturday, March 31, 1894 }

Senate met in regular session at 9 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. Chas. R. Cook, of Des Moines.

PETITIONS AND MEMORIALS.

Senator Palmer presented a petition from citizens of Lexington, Iowa, asking passage of a law providing for a county board of children's guardians.

Referred to Sifting Committee.

Senator Perrin presented a petition from citizens of Nashua, Iowa, asking for passage of a law defining fraternal beneficiary societies and providing for their regulation.

Same reference.

Senator Rea presented a petition from L. L. Truey, of La Porte Iowa, protesting against passage of Senate File No. 28.

Same reference.

Senator Groneweg presented a petition from citizens of Council Bluffs, asking passage of a law raising the age of consent.

Same reference.

The President announced as members of the sifting committee Senators Carpenter, Harsh, Harmon, Funk, Vale, Boardman, Dent, Harper and Everall.

Leave of absence was granted Senator Oleson.

INTRODUCTION OF BILLS.

By Senator Ellis, Senate file No. 411, a bill for an act to legalize certain acts of the board of supervisors of Clinton county, Iowa, relative to the levy of taxes.

Read first and second times and referred to Committee on Judiciary.

By Senator Groneweg, Senate file No. 412, a bill for an act to amend sections 4 and 5 of chapter 151, acts of the Twentieth General Assembly, relating to the duties of park commissioners and keeping and disbursing of park funds in cities and towns.

Read first and second times and referred to Committee on Cities and Towns.

Senator Downey offered the following concurrent resolution:

CONCURRENT RESOLUTION RELATIVE TO THE PARDON OF FRANK P. WATKINS.

Resolved by the Senate, the House concurring, That the Twenty-fifth General Assembly, to whom the Governor of Iowa has referred the application of Frank P. Watkins for a pardon, recommend that the Governor grant such pardon.

Adopted.

REPORTS OF COMMITTEES.

Senator Rowen, from the Committee on Penitentiaries and Pardons, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiaries and Pardons, to whom was referred the application of Frank P. Watkins for pardon from the penitentiary at Ft. Madison, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the said Frank P. Watkins be granted a pardon.

J. E. ROWEN,
Chairman.

Ordered passed on file.

Senator Carpenter, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 399, a bill for an act to amend section 1717 of the Code of 1873, as amended by chapter 51, laws of 1882, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

C. A. CARPENTER,
Chairman.

Ordered passed on file.

Senator Andrews moved that credentials be issued to Emlin McClain, the Code Commissioner elected by the Senate, signed by the President and Secretary.

Carried.

Senator Waterman moved that the Senate concur in the House amendment to publication clause of Senate file No. 52.

On the question, "Shall the amendment be concurred in?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Everall, Finn, Funk, Garst, Green, Groneweg, Harmon, Harsh, Henderson, Hipwell, Jamison, Jewett, Kilburn, Lehfeldt, Lewis, Mattoon, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman—42.

The nays were:

None.

Absent or not voting:

Senators Brower, Ellis, Gorrell, Harper, Hurst, Kelly, Oleson, Yeomans—8.

So the Senate concurred in the House amendment.

HOUSE MESSAGES.

House file No. 602, a bill for an act to enable cities of the first and second class to issue bonds payable out of special assessments for street improvements, was read first and second times and referred to sifting committee.

House file No. 615, a bill for an act to appropriate money to procure for the governor's rooms in the capitol a portrait of ex-Governor William M. Stone, was read first and second times.

Senator Lewis moved that the rules be suspended and the bill read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Green, Groneweg, Harmon, Harsh, Henderson, Hipwell, Jamison, Jewett, Kelly, Kilburn, Lehfeldt, Lewis, Mattoon, Palmer, Penrose, Perrin, Perry, Rea, Reynolds, Rigger, Rowen, Terry Turner, Vale, Waterman—42.

The nays were:

None.

Absent or not voting:

Senators Brower, Gorrell, Harper, Hurst, Oleson, Phelps, Upton, Yeomans—8.

So the bill passed and the title was agreed to.

House file No. 313, a bill for an act amending section 1, chapter 14, acts of the Twenty-third General Assembly, as amended by section 1 of chapter 12, acts of the Twenty-fourth General Assembly, and granting additional powers to certain cities, was read first and second times and referred to Sifting Committee.

Senator Mattoon moved that when the Judiciary Committee report, if there are legalizing acts, they be taken up for consideration.

Carried.

On motion of Senator Terry, Senate file No. 260, a bill for an act authorizing cities organized under special charter to fund their outstanding floating indebtedness and providing for the payment of the same, with report of committee recommending passage, was taken up, considered, and the report of the committee was read.

Senator Terry moved that the rule be suspended, and the bill be

considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Craig, Dent, Downey, Eaton, Everall, Funk, Garst, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Lehfelddt, Mattoon, Palmer, Penrose, Perrin, Perry, Rea, Reynolds, Rikken, Rowen, Terry, Turner, Vale, Waterman—40.

The nays were:

None.

Absent or not voting:

Senators Conaway, Ellis, Finn, Gorrell, Kilburn, Lewis, Oleson, Phelps, Upton, Yeomans—10.

So the bill passed and the title was agreed to.

Sergeant-at-arms S. W. Smith was granted leave of absence on account of sickness in his family.

On motion of Senator Waterman, Senate file No. 373, a bill for an act to amend chapter 7 of the acts of the Twenty-second General Assembly, relating to the appointment of city marshals, was taken up and considered.

The report of committee was read.

Senator Waterman moved that the rule be suspended, and the bill be considered engrossed and read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Ellis, Everall, Finn, Funk, Garst, Green, Groneweg, Harper, Henderson, Hipwell, Hurst, Kilburn, Lehfelddt, Mattoon, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Rikken, Rowen, Terry, Turner, Upton, Vale, Waterman—39.

The nays were:

Senator Harmon—1.

Absent or not voting:

Senators Eaton, Gorrell, Harsh, Jamison, Jewett, Kelly, Lewis, Oleson, Reynolds, Yeomans—10.

So the bill passed and the title was agreed to.

Senator Henderson asked leave to withdraw his motion to reconsider the vote by which Senate file No. 347 passed the Senate.

Leave granted and motion withdrawn.

On motion of Senator Brower, consideration of Senate file No. 405, a bill for an act to repeal section 2 of chapter 70, acts of the

Twenty-fourth General Assembly of the State of Iowa, to increase and continue in force the commission, and to appropriate money to carry out the provisions of the law in reference to the erection of a State soldiers' monument, was resumed.

Senator Andrews offered the following amendment:

Amend section 2 by striking out all that portion after the word "to-wit," in the fifth line of the printed bill, up to and including the word "purposes," in the twelfth line of the printed bill, and inserting the following therefor: "Blocks nine and twenty-three in the original town of Des Moines, Polk county, Iowa, or so much thereof as may be necessary; said tract being southeast of capitol grounds."

Senator Dent moved that the special order, being the consideration of Senate file No. 330, set for 10 o'clock A. M., be postponed until Monday, April 2, at 3 o'clock P. M.

Carried.

Senator Finn offered the following substitute to the amendment offered by Senator Andrews:

Strike out all of section 2 after the second line and insert the following: "To select a site for said monument on any ground now owned by the State, or which may hereafter be donated to the State in the county of Polk and city of De Moine."

Upon this the yeas and nays were demanded.

On the question, "Shall the substitute be adopted?" the yeas were:

Senators Eaton, Finn, Henderson, Jamison, Kilburn, Lewis, Perrin, Phelps, Rea, Reynolds, Rowen, Waterman—12.

The nays were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Downey, Ellis, Everall, Funk, Garst, Groneweg, Harsh, Jewett, Kelly, Mattoon, Penrose, Perry, Turner, Upton, Vale—25.

Absent or not voting:

Senators Dent, Gorrell, Green, Harmon, Harper, Hipwell, Hurst, Lehfelddt, Oleson, Palmer, Rigger, Terry, Yeomans—13.

So the substitute was lost.

The question being upon the amendment offered by Senator Andrews.

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Andrews, Carpenter, Craig, Eaton, Harper, Hurst, Jamison, Kelly, Kilburn, Mattoon, Perrin, Rigger, Rowen, Terry, Upton—15.

The nays were:

Senators Baldwin, Bishop, Boardman, Brower, Chantry, Cheshire, Conaway, Downey, Ellis, Everall, Funk, Garst, Green, Groneweg,

Harmon, Harsh, Lewis, Penrose, Perry, Phelps, Rea, Reynolds, Turner, Vale, Waterman—25.

Absent or not voting:

Senators Dent, Finn, Gorrell, Henderson, Hipwell, Jewett, Lehfeldt, Oleson, Palmer, Yeomans—10.

So the amendment was lost.

Senator Bishop moved that further consideration of this bill be indefinitely postponed.

Senator Finn moved that the Senate do now adjourn.

Senator Andrews moved to amend by fixing time 9 o'clock A. M. Monday.

Ruled out of order.

The question being, "Shall the Senate adjourn?"

Carried.

The Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2:00 o'clock P. M., and was called to order by President Dungan.

INTRODUCTION OF BILLS.

By Senator Rowen, Senate file No. 413, a bill for an act to provide for the education, support, maintenance, protection and detention of minors.

Read first and second times and referred to Sifting Committee.

The question being upon the motion of Senator Bishop to indefinitely postpone consideration of Senate file No. 405.

Withdrawn.

Senator Chantry offered the following substitute for the bill, and moved its adoption:

A Bill for an act to amend section 2 of chapter 70 of the acts of the Twenty-fourth General Assembly.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 2 of chapter 70 of the acts of the Twenty-fourth General Assembly be amended by striking out after the word "condemnation," in the sixth and seventh lines, all up to and including the word "monument" in the tenth line of said section, and inserting in lieu thereof the following:

"All grounds lying between the old capitol grounds and East Eleventh street and running as far south as the south end of the said old capitol grounds."

SEC. 2. This act being deemed of immediate importance, shall be in force and effect after its publication in the Iowa State *Register* and the Des Moines *Leader*, newspapers published at Des Moines, Iowa.

Substitute read first and second times.

On the question, "Shall the substitute for the bill be adopted?" the yeas were:

Senators Bishop, Carpenter, Chantry, Craig, Dent, Downey, Eaton, Finn, Green, Groneweg, Harper, Henderson, Jamison, Jewett, Kelly, Kilburn, Lehfeldt, Mattoon, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Terry, Turner, Vale, Waterman—30.

The nays were:

Senators Baldwin, Boardman, Brower, Cheshire, Conaway, Ellis, Everall, Funk, Harsh, Hipwell, Rowen, Upton—12.

Absent or not voting:

Senators Andrews, Garst, Gorrell, Harmon, Hurst, Lewis, Oleson, Yeomans—8.

So the substitute for the bill was adopted.

REPORT OF STANDING COMMITTEE.

Senator Kelly, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed bills, respectfully report that they have examined Senate file No. 36, a bill for an act providing a substitute for chapter 6 of title 9 of the Code of 1873, for establishing and governing mutual loan and building associations, and find the same correctly engrossed.

M. J. KELLY,
Chairman.

Senator Andrews offered the following amendment to substitute for Senate file No. 405.

Amend section 1 by striking out the word "monument" in the tenth line and inserting the word "monument" in the twelfth line.

Lost.

Senator Chantry moved that the rule be suspended, and the bill be considered engrossed and read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfeldt, Mattoon, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Terry, Turner, Upton, Vale, Waterman—45.

The nays were:

None.

Absent or not voting:

Senators Gorrell, Lewis, Oleson, Rowen, Yeomans—5.

So the bill passed and the title was agreed to.

Senator Harsh offered the following resolution:

WHEREAS, Senate file No. 340, known as the Revenue Bill, is a carefully considered and important measure; and,

WHEREAS, The bill, though a highly meritorious measure, contains features which would require more time for consideration than can be devoted to discussion during the present session of the General Assembly; therefore,

Resolved, That the Senate refers said Senate file No. 340 to the commission appointed to re-codify the laws of the State, with recommendation that the general principles of this bill receive favorable consideration from said commission.

Senator Finn raising objections, the resolution was laid over under the rule.

INTRODUCTION OF BILLS.

By Senator Cheshire, Senate file No. 414, a bill for an act to legalize the annexation of territory to certain cities.

Read first and second times.

Senator Cheshire moved that the rule be suspended, and the bill be considered engrossed and read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Boardman, Brower, Carpenter, Chantry, Cheshire, Craig, Dent, Downey, Eaton, Everall, Garst, Groneweg, Harmon, Harsh, Henderson, Hipwell, Hurst, Jewett, Kelly, Kilburn, Lehfelddt, Mattoon, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Upton, Vale—36.

The nays were:

None.

Absent or not voting:

Senators Bishop, Conaway, Ellis, Finn, Funk, Gorrell, Green, Harper, Jamison, Lewis, Oleson, Turner, Waterman, Yeomans—14.

So the bill passed and the title was agreed to.

By Senator Cheshire, Senate file No. 415, a bill for an act authorizing the acceptance of gifts from public institutions of the State, the execution by the executive council of contracts relating to such gifts and the management and control of property so received and held.

Read first and second times.

Senator Cheshire moved that the rule be suspended, and the bill be considered engrossed and read a third time now which motion prevailed, and the bill was read a third time.

Senator Finn, President *pro tempore*, in the chair.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Brower, Cheshire, Conaway, Craig, Dent, Downey, Garst, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Kelly, Kilburn, Mattoon, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale. Waterman—33.

The nays were:

Senators Bishop, Carpenter, Chantry—3.

Absent or not voting:

Senators Boardman, Eaton, Ellis, Everall, Finn, Funk, Gorrell, Green, Jamison, Jewett, Lehfelddt, Lewis, Oleson, Yeomans—14.

So the bill passed and the title was agreed to.

On motion of Senator Kilburn, House file No. 204, a bill for an act to repeal sections 6, 7, 10, 11, and 12, chapter 165, acts of the Seventeenth General Assembly, and to enact a substitute therefor; also, to amend sections 9 and 13, chapter 165, of the acts of the Seventeenth General Assembly, in reference to capital punishment, was taken up and considered.

Senator Kilburn moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Chantry, Conaway, Craig, Dent, Downey, Eaton, Everall, Finn, Groneweg, Harmon, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kilburn, Lehfelddt, Mattoon, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman—38.

The nays were:

Senator Kelly—1.

Absent or not voting:

Senators Brower, Cheshire, Ellis, Funk, Garst, Gorrell, Green, Harper, Lewis, Oleson, Yeomans—11.

So the bill passed and the title was agreed to.

Senator Waterman asked leave to file a motion to reconsider the vote by which Senate file No. 415 passed the Senate.

Leave granted and motion filed.

Senator Conaway moved to take up for consideration Senate file No. 36.

Carried.

Senator Conaway moved that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter,

Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Everall, Finn, Gaist, Green, Groneweg, Harmon, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfeldt, Lewis, Mattoon, Palmer, Penrose, Perrin, Perry, Phelps, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman—44.

The nays were:

Senators Harper, Rea—2.

Absent or not voting:

Senators Funk, Gorrell, Oleson, Yeomans—4.

So the bill passed and the title was agreed to.

Senator Rea offered the following explanation of his vote:

Believing that building and loan associations need regulating, yet fearing that this bill may work an unnecessary hardship on local institutions, I vote "no."

J. M. REA.

Senator Perry moved to suspend the rules and that House file No. 397 be made a special order to follow Senate file No. 330.

Upon this the yeas and nays were demanded.

On the question, "Shall House file No. 397 be made a special order?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Cheshire, Conaway, Craig, Downey, Eaton, Everall, Green, Groneweg, Harper, Hipwell, Hurst, Jewett, Kelly, Kilburn, Lehfeldt, Lewis, Mattoon, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Turner, Vale Waterman—33.

The nays were:

Senators Dent, Ellis, Harmon, Jamison, Rigger—5.

Absent or not voting:

Senators Chantry, Finn, Funk, Garst, Gorrell, Harsh, Henderson, Oleson, Rowen, Terry, Upton, Yeomans—12.

So House file No. 397 was made a special order.

On motion of Senator Carpenter House file No. 302, a bill for an act to amend sections 515, 516 and 532 of the Code of 1873, in relation to the appointment of marshals of cities of the second class and incorporated towns, their deputies and police, with report of committee recommending passage, was taken up, considered, and the report of the committee was read.

Senator Carpenter moved that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis Finn, Garst, Green, Groneweg, Harsh, Henderson, Hipwell, Hurst, Jami-

son, Kelly, Kilburn, Lehfeldt, Lewis, Mattoon, Palmer, Penrose, Perry, Phelps, Rea, Reynolds, Rigger, Turner, Vale, Waterman—37.

The nays were:

Senators Bishop, Harmon, Perrin—3.

Absent or not voting:

Senators Everall, Funk, Gorrell, Harper, Jewett, Oleson, Rowen, Terry, Upton, Yeomans—10.

So the bill passed and the title was agreed to.

REPORTS OF STANDING COMMITTEES.

Senator Harmon, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 632, a bill for an act to legalize the incorporation of the town of Washta, Cherokee county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 406, a bill for an act to legalize certain acts of the incorporated town of West Union, of the city of West Union, the change of grade of same from an incorporated town to a city of the second class, the organization of same as such city and the election of its officers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 622, a bill for an act legalizing the acts of Daniel Dougherty, a justice of the peace in and for Dougherty township, Cerro Gordo county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 409, a bill for an act to legalize the act of Lewis Larson in qualifying as director of the independent district of Forest City, in the county of Winnebago, State of Iowa, beg leave to report that they have had the same under considera-

tion, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 595, a bill for an act to legalize the incorporation of the town of Riceville, Mitchell and Howard counties, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 557, a bill for an act to legalize the levy of taxes for the year 1893, made by the city council of the city of Mount Pleasant, Henry county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 411, a bill to legalize certain acts of the board of Supervisors of Clinton county, Iowa, in relation to the levy of taxes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Senator Dent moved to take up for consideration House file No. 632, a bill for an act to legalize the incorporation of the town of Washta, Cherokee county.

Carried.

Senator Dent moved the bill be read a third time now.

Carried.

The bill was read a third time.

On the question "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Ellis, Everall, Finn, Garst, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Lehfeldt, Lewis, Mattoon, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Vale, Waterman—39.

The nays were:

None.

Absent or not voting:

Senators Eaton, Funk, Gorrell, Kelly, Kilburn, Oleson, Rowen, Terry, Turner, Upton, Yeomans—11.

So the bill passed and the title was agreed to.

On motion of Senator Mattoon, Senate file No. 406, a bill for an act legalizing certain acts of the incorporated town of West Union, of the city of West Union, the change of grade of same from an incorporated town to a city of the second class, the organization of same as such city and the election of its officers, with report of committee recommending passage, was taken up, considered, and the report of the committee was read.

Senator Mattoon moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

President Dungan in the chair.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kilburn, Lehfeldt, Lewis, Mattoon, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Turner, Vale—40.

The nays were:

None.

Absent or not voting:

Senators Brower, Gorrell, Kelly, Oleson, Rigger, Rowen, Terry, Upton, Waterman, Yeomans—10.

So the bill passed and the title was agreed to.

On motion of Senator Harmon, House file No. 595, a bill for an act to legalize the incorporation of the town of Riceville, Mitchell and Howard counties, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town, with report of committee recommending passage, was taken up, considered, and the report of the committee was read.

Senator Harmon moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Dent, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Green, Groneweg, Harmon, Henderson, Hipwell, Hurst, Jamison, Jewett, Kilburn, Lehfeldt, Lewis, Palmer, Penrose, Perrin, Perry, Phelps, Turner, Vale—35.

The nays were:

None.

Absent or not voting:

Senators Craig, Gorrell, Harper, Harsh, Kelly, Mattoon, Oleson, Rea, Reynolds, Rigger, Rowen, Terry, Upton, Waterman, Yeomans—15.

So the bill passed and the title was agreed to.

The President announced he had signed the following bills in the presence of the Senate:

House files Nos. 330, 612, 311, 163, 386, 81, 370, 127, 444, 544, 232, 432, 248, 337, 74, 471 and Joint Resolution No. 13.

House file No. 622 a bill for an act legalizing the acts of Daniel Dougherty, a justice of the peace in and for Dougherty township, Cerro Gordo county, Iowa, was taken up, considered, and the report of committee recommending passage was read.

Senator Brower moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Chantry, Cheshire, Conaway, Dent, Downey, Eaton, Ellis, Everall, Garst, Green, Groneweg, Harmon, Harper, Henderson, Hipwell, Hurst, Jamison, Jewett, Kilburn, Lehfelddt, Lewis, Mattoon, Palmer, Penrose, Perrin, Phelps, Turner, Vale—33.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Craig, Finn, Funk, Gorrell, Harsh, Kelly, Oleson, Perry, Rea, Reynolds, Rigger, Rowen, Terry, Upton, Waterman, Yeomans—17.

So the bill passed and the title was agreed to.

House file No. 557, a bill for an act to legalize the levy of taxes for the year 1893, made by the city council of the city of Mt. Pleasant, Henry county, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee was read.

Senator Palmer moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Chantry, Cheshire, Conaway, Downey, Eaton, Ellis, Everall, Garst, Green, Groneweg, Harmon, Harper, Henderson, Hipwell, Hurst, Jamison, Jewett, Lehfelddt, Lewis, Mattoon, Palmer, Penrose, Perrin, Turner, Vale, Waterman—31.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Craig, Dent, Finn, Funk, Gorrell, Harsh, Kelly, Kilburn, Oleson, Perry, Phelps, Rea, Reynolds, Rikken, Rowen, Terry, Upton, Yeomans—19.

So the bill passed and the title was agreed to.

Senate file No. 411, a bill for an act to legalize certain acts of the board of supervisors of Clinton county, Iowa, in relation to the levy of taxes, was taken up, considered, and the report of the committee was read.

Senator Ellis moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed.

On motion of Senator Andrews the reading just finished was considered the third reading.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Downey, Ellis, Everall, Finn, Funk, Green, Groneweg, Harmon, Harper, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfeldt, Lewis, Mattoon, Palmer, Penrose, Perrin, Phelps, Vale, Waterman—35.

The nays were:

None.

Absent or not voting:

Senators Craig, Dent, Eaton, Garst, Gorrell, Harsh, Oleson, Perry, Rea, Reynolds, Rikken, Rowen, Terry, Upton, Yeomans—15.

So the bill passed and the title was agreed to.

Senator Conaway asked leave to call up the motion filed by him to reconsider the vote by which Senate file No. 195 failed to pass the Senate.

Ruled out of order because the motion was not first filed as a motion to reconsider, but simply as a notice that such motion would be filed, and further because it was not called up within the time specified by the rule.

Senator Garst moved that the Senate do now adjourn.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Monday, April 2, 1894. }

Senate met pursuant to adjournment at 9:00 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. Clinton Douglas, of Des Moines.

PETITIONS AND MEMORIALS.

Senator Perrin presented a petition from T. A. Griener and six other citizens of New Hampton, Iowa, asking for passage of a law defining fraternal beneficiary societies, and providing for their regulation.

Referred to Sifting Committee.

Senator Jamison presented a petition from eighty citizens of Clarke county asking for the repeal of the hunter's trespass bill.

Same reference.

Senator Bishop presented a communication from Ohmit Bros., Alvord, Iowa, protesting against passage of Senate file No. 298.

Also:

A petition from citizens of his district asking repeal of the hunter's trespass bill.

Same reference.

Senator Ellis presented a petition from citizens and dairymen of Clinton county, asking passage of Senate file No. 221.

Same reference.

Leave of absence was granted Senators Palmer, Baldwin and Kilburn.

INTRODUCTION OF BILLS.

By Judiciary Committee, Senate file No. 416, a bill for an act to legalize the acts of the city council and board of public works of the city of Des Moines, in entering into certain contracts for paving with the Des Moines Brick Manufacturing Co.

Read first and second times and referred to Sifting Committee.

By Senator Ellis, Senate file No. 417, a bill for an act to amend section 432 of the Code of 1873, as amended by section 1 of chapter 3

of the acts of the Seventeenth General Assembly, relative to the uniting of adjacent incorporated cities and towns.

Read first and second times and referred to Sifting Committee.

Senator Perrin introduced the following concurrent resolution:

CONCURRENT RESOLUTION RELATIVE TO INVITATION TO MRS. JULIA WARD HOWE.

WHEREAS, The revered patriot, philanthropist and poet, Julia Ward Howe, is to be a visitor in the city of Des Moines during the present week; and

WHEREAS, The service rendered the Nation during the dark days of the rebellion by this noble and gifted woman is gratefully remembered by her countrymen; therefore, be it

Resolved by the Senate, the House concurring. That the Governor, the President of the Senate, the Speaker of the House and a member of the Supreme Court be respectfully requested to wait upon Mrs. Howe, and to express to her the love and esteem entertained for her by the people of this commonwealth, and to extend to her a cordial invitation to visit the capitol at such time as shall best suit her pleasure and convenience during the present session of the General Assembly.

Adopted.

Senator Brower, from the special committee appointed to extend an invitation to General George W. Jones to be the guest of the General Assembly, submitted the following letter from General Jones and asked that it be spread upon the journal:

DUBUQUE, IOWA, March 28.

GENTLEMEN: I acknowledge, with feelings of profound gratitude to his excellency, Governor Jackson, and to the members of the General Assembly of our State, your communication of the 26th inst., informing me that the Assembly has passed a concurrent resolution inviting me to become the guest of the State on the 4th proximo, to celebrate the ninetieth anniversary of my birthday.

I accept the distinguished honor thus conferred upon me and will, with the blessing of our Heavenly Father, be at Des Moines on the third of next month. I am, with profound respect and heartfelt gratitude, your greatly obliged and obedient friend and fellow citizen.

GEORGE W. JONES.

N. V. BROWER,

G. PERRY,

On the part of the Senate.

W. F. HARRIMAN,

C. H. ROBINSON,

C. BLANCHARD,

On the part of the House of Representatives of the General Assembly of Iowa.

CAPITOL, Des Moines, Iowa.

REPORTS OF COMMITTEES.

Senator Eaton, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred Joint Resolution No. 13, to regulate the manner of removal of let-

ter carriers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be adopted.

WILLIAM EATON,
Chairman,

Ordered passed on file.

Senator Carpenter, from the Committee on Sifting Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Sifting Bills, to whom was referred all bills and other matter before the Senate, beg leave to report that they have had the same under consideration and have instructed me to report to the Senate the following schedule of bills to be taken up in the following order for action and your committee will make further report hereafter. House file No. 172, Calendar No. 48; Senate file No. 340, Resolution; Senate file No. 368, Calendar No. 85; House file No. 4, Calendar No. 122; House file No. 388, Calendar No. 113; House file No. 599; Senate file No. 293, Calendar No. 56; Senate file No. 112, Calendar No. 94; House file No. 103; Senate file No. 415, motion to reconsider.

C. A. CARPENTER,
Chairman.

Ordered passed on file.

Senator Harmon, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 203, a bill for an act to require the clerk of the District court to report to the county auditor all changes of title made by decree of court or by will, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by inserting the word "finally" after the word "is," in line 3 of section 1; by striking out the words, "or changed by will," in line 4 of section 1, and inserting, "or by decree of the Supreme court, should an appeal be taken and presented to judgment; or where the title to real estate is changed by will or decree;" by inserting after the word "act," in line 3 of section 2, the words, "on payment of a transfer fee of twenty-five cents;" and that when so amended the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 599, a bill for an act to amend section 1967, of the Code of Iowa of 1873, as amended by section 3141 of the Twenty-fourth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate

file No. 402, a bill for an act to provide for the transfer of estates of persons under guardianship from any county in Iowa to another state or jurisdiction, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON.
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 317, a bill for an act to provide for the payment of the expenses of the district judges in certain cases, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

M. W. HARMON
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 397, a bill for an act to legalize the proceedings of the Mound Cemetery Association of St. Clair township, Benton county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Joint Resolution No. 6, a bill for an act providing for a commissioner for the promotion of uniform legislation in the United States, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 283, a bill for an act to amend chapter 10, title 3 of the Code of 1873, relating to the selecting and drawing jurors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 310, a bill for an act for the repeal of section 336 of the Code, relating to county recorder and county treasurer, beg leave to report that

they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 241, a bill for an act to repeal section 2580 of the Code and enact a substitute therefor, relating to venue in actions aided by attachments, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Joint Resolution No. 14, a bill for an act appointing commissioners for the promotion of uniformity of legislation in the United States, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

M. W. HARMON,
Chairman.

Ordered passed on file.

Senator Reynolds introduced the following resolution:

Resolved, That the secretary, one file clerk and postmistress be required to remain one day after adjournment that members of the Senate may be furnished complete files of the journal and have their mail forwarded to them. The present per diem of said officers for said day be certified to by the President of the Senate.

Adopted.

House file No. 172, a bill for an act to amend chapter 1, title 4, Code of 1873, relating to county, township, town and city government, with report of committee recommending passage, was taken up, considered, and the report of the committee was read.

Senator Carpenter offered the following amendment:

Amend House file No. 172 as follows: By striking out all after the word "genuine" in the seventeenth line of the printed bill, up to and including the word "courts" in the twenty-second line of section 4 of the printed bill.

Adopted.

Senator Andrews offered the following amendment:

Amend by striking out the word "and" in the seventh line of section 2 of the printed bill, and by adding the following to section 2: "And also stating the number of signers to the petition at the time of making the affidavit."

Adopted.

Senator Carpenter moved that the bill as amended be read a third time now, which motion prevailed, and the bill was read a third time.

Senator Lewis in the chair.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Bishop, Boardman, Brower, Carpenter, Cheshire, Conaway, Craig, Downey, Ellis, Everall, Finn, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hurst, Jamison, Lehfeldt, Lewis, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rikken, Rowen, Turner, Upton, Vale Waterman—37.

The nays were:

None.

Absent or not voting:

Senators Baldwin, Chantry, Dent, Eaton, Hipwell, Jewett, Kelly, Kilburn, Mattoon, Oleson, Perry, Terry, Yeomans—13.

So the bill passed and the title was agreed to.

Senator Henderson offered the following amendment to the title:

Strike out the words "county, township and city government," and insert "relocating county seats."

Lost.

Resolution in reference to Senate file No. 340 was taken up and considered:

WHEREAS, Senate file No. 340, known as the Revenue Bill, is a carefully considered and important measure; and,

WHEREAS, The bill, though a highly meritorious measure, contains features which would require more time for consideration than can be devoted to discussion during the present session of the General Assembly; therefore,

Resolved, That the Senate refers said Senate file No. 340 to the commission appointed to re-codify the laws of the State, with recommendation that the general principles of the bill receive favorable consideration from said commission.

Senator Bishop offered the following amendment:

Strike out the words "commission appointed to re-codify the laws of the," and insert in lieu thereof the words "people of this."

Lost.

The question being upon the adoption of the resolution.

Upon this the yeas and nays were demanded.

On the question, "Shall the resolution be adopted?" the yeas were:

Senators Andrews, Bishop, Boardman, Carpenter, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Everall, Funk, Garst, Harmon, Harsh, Henderson, Lehfeldt, Lewis, Penrose, Perrin, Phelps, Reynolds, Rowen, Turner, Upton, Vale, Waterman—27.

The nays were:

Senators Brower, Finn, Gorrell, Harper, Jamison, Jewett, Palmer, Rea, Rikken, Yeomans—10.

Absent or not voting:

Senators Baldwin, Chantry, Ellis, Green, Groneweg, Hipwell, Hurst, Kelly, Kilburn, Mattoon, Oleson, Perry, Terry—13.

So the resolution was adopted.

Senator Finn offered the following explanation of his vote:

MR. PRESIDENT—I vote “no” on this resolution because I believe the general principles of this bill to be vicious and unjust; “a carefully considered and important measure” and scheme of bankers and moneyed men to make the land owners of the State bear a much greater proportion of the taxes than they ought to, or now do. It has been the policy to assess notes and commercial paper at a higher per cent than land, because the former can and does hide, and in part at least, conceal itself from assessment, while not an acre of land may escape. Notes are now assessed at about 60 per cent of their value, land at about 25 or 30 per cent. To assess each at their real value is to increase the assessment on notes about 66 per cent, while the land assessment will be increased from 250 to 300 per cent, thereby transferring more of the tax burdens to the land, and measurably relieving a class of men who have never been charged or even suspected of paying more than their share of taxes. The fact that bankers are frantically urging the passage of this bill strengthens my belief as to its evil purpose and effect, as stated above.

G. L. FINN.

Senator Rea offered the following explanation of his vote:

MR. PRESIDENT—As I stated to the Senator who presented the petition to me, asking for a reference to the Code Commissioners of the revenue bill, that I signed the same with the understanding and reservation that I was not willing to endorse the general principles of the bill, and did not want to be understood as asking their favorable consideration, but simply wished it referred to the Commission for action; but feeling at this time that by voting for the resolution I endorse the bill and ask the favorable consideration of the Code Commission, I am compelled to vote “no.”

J. M. REA.

Senator Harsh offered the following explanation of his vote:

MR. PRESIDENT—I vote “aye” because I desire to do the best I can at this time in the interest of tax reform. The farmers and real estate owners are now compelled to contribute more than their share of the burdens of government because their property is in plain sight. The bill provides ways and means to make all others show their property so it can be listed by the assessors in the same manner, and therefore equalize the burdens of taxation as between individuals. It provides that all property be assessed at true value and reduces levies accordingly. It also provides methods to place on the tax books millions of dollars' worth of property now and heretofore escaping taxation. The changes just named and contemplated in the bill are in line with the statutes of the most progressive states in the republic. The bill, if enacted into law, will reduce the taxes of those who in the past have honestly listed their property and reach those who have evaded taxation heretofore.

J. B. HARSH.

Senate file No. 368, a bill for an act to increase the number of judges of the supreme court and providing for a division of said courts was taken up and considered.

Senator Carpenter moved that the rule be suspended, and the bill be considered engrossed and read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Boardman, Carpenter, Chantry, Cheshire, Conway, Craig, Ellis, Funk, Garst, Groneweg, Harmon, Harper, Harsh, Henderson, Hurst, Jamison, Lehfeldt, Palmer, Penrose, Perrin, Phelps, Rea, Rigger, Rowen, Turner, Upton, Vale, Yeomans—29.

The nays were:

Senators Bishop, Dent, Downey, Everall, Finn, Gorrell, Lewis, Reynolds, Waterman—9.

Absent or not voting:

Senators Baldwin, Brower, Eaton, Green, Hipwell, Jewett, Kelly, Kilburn, Mattoon, Oleson, Perry, Terry—12.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed the following concurrent resolution in which the concurrence of the House was asked:

Relative to the pardon of Frank P. Watkins.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Joint Resolution in which the concurrence of the House was asked:

Relative to the assignment of rooms in the Capitol building.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bills in which the concurrence of the House was asked:

Senate file No. 133, a bill for an act to authorize the appointment of a commission to ascertain and mark the position occupied by Iowa troops on Lookout Mountain and Mission Ridge (the battles of Chattanooga).

Senate file No. 362, a bill for an act providing an appropriation for conducting the office of the State dairy commissioner, and for paying the expenses thereof.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House file No. 197, a bill for an act to protect county bridges against stock driven over the same.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 312, a bill for an act to provide for the cutting of weeds on public highways.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following joint resolution in which the concurrence of the Senate is asked:

Joint Resolution No. 14, providing for the appointment of commissioners for the promotion of uniformity of legislation in the United States.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate file No. 122, a bill for an act providing for the better security of state banks.

I. K. WILSON,
Chief Clerk.

Substitute for House file No. 4, a bill for an act to repeal sections 1, 2, 3, 4, 5, 8, 10 and 15 of chapter 52 of the acts of the Twenty-first General Assembly, and to repeal section 6 of chapter 52 of the acts of the Twenty-first General Assembly as amended by Senate file No. 51 of the Twenty-fifth General Assembly, and approved February 12, 1894, and to enact substitutes therefor; to prohibit the manufacture, sale, keeping for sale and fraudulent use of substances designed as imitation butter and cheese, and to regulate the manufacture, sale and keeping for sale of any substances to be used as a substitute for butter and cheese, was taken up for consideration.

Senator Boardman moved that the bill be read a third time now.

Senator Bishop offered the following amendment:

Amend section 8 by striking out all after the word "family," in the third line, up to and including the word "employee" in the fifth line.

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Andrews, Bishop, Brower, Craig, Green, Groneweg, Hurst, Waterman—8.

The nays were:

Senators Boardman, Carpenter, Cheshire, Conaway, Eaton, Ellis, Finn, Garst, Gorrell, Harmon, Harsh, Henderson, Jamison, Jewett, Lewis, Palmer, Perrin, Phelps, Rea, Reynolds, Rigger, Rowen, Turner, Upton, Vale—25.

Absent or not voting:

Senators Baldwin, Chantry, Dent, Downey, Everall, Funk, Harper, Hipwell, Kelly, Kilburn, Lehfelddt, Mattoon, Oleson, Penrose, Perry, Terry, Yeomans—17.

So the amendment was lost.

Senator Bishop offered the following amendment:

Strike out of section 6 all after the 5th line.

Lost.

Senator Finn offered the following amendment:

Amend section 8 by inserting after the word "shall" in the 5th line the word "knowingly."

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Bishop, Brower, Craig, Finn, Green, Groneweg, Harmon, Hurst, Palmer, Rea, Reynolds, Turner, Upton, Waterman—14.

The nays were:

Senators Boardman, Carpenter, Cheshire, Eaton, Funk, Garst, Gorrell, Harsh, Henderson, Jamison, Lehfelddt, Lewis, Penrose, Perrin, Phelps, Rigger, Rowen, Vale—18.

Absent or not voting:

Senators Andrews, Baldwin, Chantry, Conaway, Dent, Downey, Ellis, Everall, Harper, Hipwell, Jewett, Kelly, Kilburn, Mattoon, Oleson, Perry, Terry, Yeomans—18.

So the amendment was lost.

The question being upon the third reading of the bill.

Carried.

Senator Boardman moved the reading just had be considered the third reading.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Boardman, Brower, Carpenter, Cheshire, Conaway, Eaton, Ellis, Everall, Finn, Funk, Gorrell, Groneweg, Harsh, Henderson, Jamison, Jewett, Lehfelddt, Lewis, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Rowen, Turner, Upton, Vale, Waterman—30.

The nays were:

Senator Bishop, Terry—2.

Absent or not voting:

Senators Andrews, Baldwin, Chantry, Craig, Dent, Downey, Garst, Green, Harmon, Harper, Hipwell, Hurst, Kelly, Kilburn, Mattoon, Oleson, Perry, Yeomans—18.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

Senator Phelps, from Joint Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills, respectfully report that they have examined the following bills, found the same correctly enrolled, and have sent the same to the Governor for his approval:

Substitute for Senate file No. 202, an act making appropriation for the Soldiers's Home at Marshalltown, Iowa.

Substitute for Senate file No. 200, an act making appropriation for the Iowa Industrial School, boys' department, at Eldora, Iowa.

Substitute for Senate file No. 226, an act making appropriations for the penitentiary at Anamosa, Iowa.

Senate file No. 389, an act to legalize the acts and ordinances of the incorporated town of Oelwein, Fayette county, Iowa.

Substitute for Senate file No. 315, an act applying sections 318 and 319 of the Code, to taxes levied and collected by cities and towns under section 3049 of the Code, and chapter 57 of the acts of the Sixteenth General Assembly.

Senate file No. 374, an act to legalize the election held in the town of Riverside, county of Washington, and State of Iowa.

Substitute for Senate file No. 392, an act to legalize the acts of Zion's church of the Evangelical Association in Charles City, Floyd county, Iowa, and its board of trustees.

Senate file No. 52, and act to amend section 17, chapter 94 of the acts of the Nineteenth General Assembly relating to the dieting of prisoners.

Substitute for Senate file No. 261, an act for the relief of Frederick M. Hull of the county of Webster.

JULIAN PHELPS,
Chairman.

House file No. 388, a bill for an act to amend section 1800 of the Code of Iowa, as amended by chapter 139 of the laws of the Eighteenth General Assembly of the State of Iowa, was taken up. considered, and the report of the committee read.

Bill read for information.

Senator Vale moved that the reading just had be considered the third reading.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Bishop, Boardman, Brower, Carpenter, Cheshire, Craig, Downey, Ellis, Everall, Funk, Gorrell, Green, Groneweg, Harmon, Harsh, Henderson, Hurst, Jewett, Lehfeltdt, Lewis, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rikken, Rowen, Turner, Upton, Vale—32.

The nays were:

Senator Jamison—1.

Absent or not voting:

Senators Baldwin, Chantry, Conaway, Dent, Eaton, Finn, Garst,

Harper, Hipwell, Kelly, Kilburn, Mattoon, Oleson, Perry, Terry, Waterman, Yeomans—17.

So the bill passed and the title was agreed to.

House file No. 197, a bill for an act to protect county bridges against stock driven over the same, was read first and second times and referred to Sifting Committee.

House file No. 312, a bill for an act to provide for the cutting of weeds on public highways, was read first and second times and referred to Sifting Committee.

House Joint Resolution No. 14, providing for the appointment of commissioners for the promotion of uniformity of legislation in the United States, was read first and second times and referred to Sifting Committee.

Senator Palmer moved that the Senate concur in House amendments to Senate file No. 133, a bill for an act to authorize the appointment of a commission to ascertain and mark the position occupied by Iowa troops on Lookout Mountain and Mission Ridge (the battles of Chattanooga).

On the question, "Shall the Senate concur in the House amendments?" the yeas were:

Senators Andrews, Bishop, Boardman, Carpenter, Cheshire, Conway, Craig, Downey, Everall, Finn, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harsh, Henderson, Hurst, Jamison, Jewett, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Turner, Upton, Waterman—31.

The nays were:

None.

Absent or not voting:

Senators Baldwin, Brower, Chantry, Dent, Eaton, Ellis, Harper, Hipwell, Kelly, Kilburn, Lehfelddt, Lewis, Mattoon, Oleson, Perry, Rowen, Terry, Vale, Yeomans—19.

So the Senate concurred in the House amendments.

Senate file No. 362 was amended by the House.

On the question, "Shall the House amendment be concurred in?" the yeas were:

Senators Bishop, Chantry, Conway, Everall, Finn, Gorrell, Groneweg, Harsh, Jamison, Kilburn, Palmer, Phelps, Rea, Turner—14.

The nays were:

Senators Andrews, Boardman, Carpenter, Cheshire, Craig, Downey, Ellis, Funk, Garst, Henderson, Jewett, Lehfelddt, Penrose, Perrin, Reynolds, Rigger, Upton, Vale, Waterman—19.

Absent or not voting:

Senators Baldwin, Brower, Dent, Eaton, Green, Harmon, Harper,

Hipwell, Hurst, Kelly, Lewis, Mattoon, Oleson, Perry, Rowen, Terry, Yeomans—17.

Friday and Saturday's journal was read, corrected and approved.

Senator Rea moved that the Senate do now adjourn.

Carried.

The Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2:00 o'clock P. M., and was called to order by President Dungan.

The President announced he had signed the following bills in the presence of the Senate:

Senate files Nos. 202, 337, 350, 389, 200, 226, 392, 52, 261.

Senate file No. 599, a bill for an act to amend section 1967 of the Code of Iowa of 1873, as amended by section 3141 of the acts of the Twenty-fourth General Assembly, was taken up and considered.

Senator Funk offered the following amendment:

Amend section one, in line one, by striking out the words and figures "section 3141" and inserting in lieu thereof the words and figures "chapter 42."

Adopted.

Senator Funk moved that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Boardman, Carpenter, Chantry, Cheshire, Conway, Dent, Everall, Finn, Funk, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Hurst, Kilburn, Lehfeldt, Palmer, Perrin, Rea, Rowen, Turner, Upton, Vale, Waterman—26.

The nays were:

None.

Absent or not voting:

Senators Baldwin, Bishop, Brower, Craig, Downey, Eaton, Ellis, Garst, Henderson, Hipwell, Jamison, Jewett, Kelly, Lewis, Mattoon, Oleson, Penrose, Perry, Phelps, Reynolds, Rikken, Terry, Yeomans—24.

So the bill passed.

Senator Funk offered the following amendment to the title:

Amend the title by striking therefrom the words and figures "section 3141" and inserting in lieu thereof the words and figures "chapter 42."

Adopted.

The amended title was agreed to.

Senate file No. 293, a bill for an act relating to the investment of the funds of life insurance companies and amendatory of section 1179 of the Code as amended by chapter 94 of the laws of the Twenty-second General Assembly, was taken up and report of committee was read.

Senator Dent moved the amendments proposed by the committee be adopted.

Carried.

Senator Harmon offered the following amendment:

Amend section 1 by adding at the end the following: "In loans upon its own policies provided that the amount so loaned shall not exceed the net terminal reserve against said policies, as provided in this chapter at the time such loan is made, and that all policies upon which loans are made shall have been issued and in force at least three years."

Adopted.

Senator Dent moved that the rules be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Ellis, Everall, Funk, Garst, Gorrell, Groneweg, Harmon, Harper, Harsh, Hipwell, Jewett, Kelly, Lewis, Mattoon, Penrose, Perrin, Phelps, Rowen, Turner, Upton, Vale, Waterman, Yeomans—33.

The nays were:

None.

Absent or not voting:

Senators Baldwin, Brower, Eaton, Finn, Green, Henderson, Hurst, Jamison, Kilburn, Lehfelddt, Oleson, Palmer, Perry, Rea, Reynolds, Rikken, Terry—17.

So the bill passed.

The committee recommended that the title be amended by inserting after the word "companies" the words "and associations," also add at end of title the words "as amended by chapter 30, laws of the Twenty-fourth General Assembly."

Recommendation adopted.

The title was agreed to.

Senate file No. 212, a bill for an act to define what shall constitute fraternal beneficiary societies, orders or associations; to provide for their incorporation and the regulation of their business, and for the punishment for violation of the provisions of the act of their incorporation, and to repeal all existing acts inconsistent therewith, with report of committee recommending amendments and when so amended that the same do pass, was taken up, considered, and the report of the committee was read.

Senator Andrews moved that the amendments recommended by the committee be acted upon separately.

Carried.

The amendments were adopted.

Bill was read for information.

Senator Andrews moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed.

Senator Craig moved that the reading just had be considered third reading.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Bishop, Boardman, Carpenter, Cheshire, Conway, Craig, Dent, Downey, Everall, Finn, Funk, Garst, Gorrell, Groneweg, Harmon, Harsh, Henderson, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfeldt, Mattoon, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Rowen, Turner, Upton, Vale, Waterman—37.

The nays were:

Senator Perry—1.

Absent or not voting:

Senators Baldwin, Brower, Chantry, Eaton, Ellis, Green, Harper, Hipwell, Lewis, Oleson, Terry, Yeomans—12.

So the bill passed and the title was agreed to.

On motion of Senator Vale, House file No. 103, a bill for an act to repeal section 1495 of the Code as amended by chapter 95 of the Twenty-second General Assembly, and to enact a substitute therefor; and to amend section 1508 of the Code as amended by chapter 95 of the Twenty-second General Assembly, relating to partition fences, was taken up and considered.

Senator Vale moved that the rules be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Boardman, Brower, Carpenter, Cheshire, Conway, Craig, Dent, Downey, Ellis, Everall, Finn, Funk, Gorrell, Green

Groneweg, Harmon, Harsh, Henderson, Hurst, Jewett, Kilburn, Lehfeldt, Lewis, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Riggen, Rowen, Turner, Upton, Vale, Waterman—36.

The nays were:

Senator Garst—1.

Absent or not voting:

Senators Baldwin, Bishop, Chantry, Eaton, Harper, Hipwell, Jamison, Kelly, Mattoon, Oleson, Perry, Terry, Yeomans—13.

So the bill passed and the title was agreed to.

INTRODUCTION OF BILLS.

By Committee on Appropriations, Senate file No. 418, a bill for an act making appropriations for payment of State and judicial officers, State expenses and other bills, and amendatory of section 2, chapter 134, laws of the Tenth General Assembly.

Read first and second times.

Senator Lewis moved to take up Senate file No. 418 for consideration now.

Carried.

Senator Dent moved the special order, Senate file No. 330, be postponed until the bill under consideration be disposed of.

Carried.

Senator Rowen was excused on account of sickness.

The bill was read and considered by sections.

Senator Bishop offered the following amendment:

Amend section 3 by adding "\$500 additional for traveling expenses of the Superintendent of Public Instruction."

Lost.

Senator Lewis moved that the rule be suspended, and the bill be considered engrossed and read a third time now which motion prevailed.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Bishop, Boardman, Carpenter, Chantry, Conway, Craig, Dent, Downey, Ellis, Everall, Finn, Funk, Garst, Gorrell, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Lehfeldt, Lewis, Mattoon, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Riggen, Turner, Upton, Vale, Waterman, Yeomans—41.

The nays were:

None.

Absent or not voting:

Senators Baldwin, Brower, Cheshire, Eaton, Green, Kilburn, Oleson, Rowen, Terry—9.

So the bill passed and the title was agreed to.

The time for the special order having arrived, Senate file No. 330, a bill for an act to allow the manufacture of spirituous, vinous and malt liquors within the State of Iowa with the report of committee without recommendation was taken up and considered.

Senator Dent offered the following substitute:

SECTION 1. That the board of supervisors of any county upon the filing of a petition signed by a majority of the voters voted at the last preceding general election of such county, may issue to any person or corporation a permit to manufacture and sell at wholesale, spirituous, malt, fermented and vinous liquors, which person or corporation shall not sell at retail, nor in smaller quantities than four gallons, nor sell, nor give, nor suffer to be sold, given or used upon the premises where said liquors are manufactured, nor in any building connected therewith, or adjacent thereto, any liquors by the dram, nor in any other manner than at wholesale for the purposes therein provided.

SEC. 2. If any person holding such permit shall manufacture or sell for any purposes or in any manner not herein authorized such person or persons or corporation shall be subject to all the penalties now prescribed by law against unlawful manufacture.

SEC. 3. All acts or parts of acts inconsistent herewith are hereby repealed.

SEC. 4. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the *Iowa State Register* and *Des Moines Leader*, newspapers published in Des Moines, Iowa.

Substitute read first and second times..

Senator Dent moved that the substitute be adopted.

Senator Jamison moved that further consideration of the substitute be postponed until it can be printed.

Senator Brower moved that the motion to postpone consideration be laid upon the table.

Carried.

The question being on the adoption of the substitute offered by Senator Dent.

Upon this the yeas and nays were demanded.

On the question, "Shall the substitute be adopted?" the yeas were:

Senators Baldwin, Brower, Carpenter, Cheshire, Craig, Cent, Downey, Ellis, Everall, Funk, Garst, Gorrell, Green, Harmon, Harper, Harsh, Hurst, Lehfeldt, Lewis, Mattoon, Penrose, Perry, Reynolds, Rigger, Terry, Upton, Waterman, Yeomans—28.

The nays were:

Senators Bishop, Chantry, Eaton, Finn, Groneweg, Hipwell, Jamison, Kelly, Kilburn, Palmer, Phelps, Rea, Rowen, Turner, Vale—15.

Absent or not voting:

Senators Andrews, Boardman, Conaway, Henderson, Jewett, Oleson, Perrin—7.

So the bill passed and the title was agreed to.

Senator Harsh offered the following resolution:

WHEREAS, A prominent member of this body has been appointed by the President to an important national position; therefore be it

Resolved, That we congratulate Senator Yeomans upon his appointment and the country upon the selection of one so well qualified for a place on the interstate commerce commission.

Adopted by rising vote.

Senator Dent moved that the rules be suspended, the bill considered engrossed and read a third time now.

Senator Cheshire offered the following amendment:

Amend by inserting after the word "wholesale," in the fifth line of section 1 of the substitute, the words "for lawful purposes and for export."

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Funk, Garst, Groneweg, Harmon, Harsh, Henderson, Lehfeldt, Lewis, Palmer, Penrose, Perrin, Rea, Reynolds, Rigger, Turner, Turner, Upton, Waterman, Yeomans—25.

The nays were:

Senators Andrews, Bishop, Dent, Downey, Ellis, Everall, Green, Harper, Hipwell, Hurst, Kelly, Kilburn, Mattoon, Perry, Terry—15.

Absent or not voting:

Senators Baldwin, Eaton, Finn, Gorrell, Jamison, Jewett, Oleson, Phelps, Rowen, Vale—10.

So the amendment was adopted.

Senator Jamison offered the following amendment:

Amend section 1 by striking out the words, "a majority," and insert the words, "sixty-five per cent."

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House file No. 650, a bill for an act authorizing the acceptance of gifts for public institutions of the state; the execution by the executive council of contracts relating to such gifts and the management and control of property so received and held.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the House was asked:

Senate file No. 405, a bill for an act to amend section 2 of chapter 70 of the acts of the Twenty-fourth General Assembly.

I. K. WILSON,
Chief Clerk.

Senator Garst moved the previous question.

Upon this the yeas and nays were demanded.

On the question, "Shall the main question be now put?" the yeas were:

Senators Bishop, Boardman, Brower, Carpenter, Cheshire, Craig, Dent, Funk, Garst, Gorrell, Harsh, Lehfeldt, Lewis, Penrose, Perrin, Rikken, Upton, Waterman, Yeomans—19.

The nays were:

Senators Andrews, Chantry, Conaway, Downey, Everall, Finn, Green, Groneweg, Harmon, Harper, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Mattoon, Palmer, Perry, Rea, Reynolds, Terry, Vale—24.

Absent or not voting:

Senators Baldwin, Eaton, Ellis, Oleson, Phelps, Rowen, Turner—7.

So the Senate refused to order the previous question.

Senator Kilburn moved the Senate do now adjourn.

Upon this the yeas and nays were demanded.

On the question, "Shall the Senate now adjourn?" the yeas were:

Senators Andrews, Chantry, Hurst, Jamison, Kilburn, Palmer, Phelps—7.

The nays were:

Senators Bishop, Brower, Carpenter, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Everall, Funk, Garst, Gorrell, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Jewett, Kelly, Lehfeldt, Lewis, Mattoon, Penrose, Perrin, Perry, Rea, Reynolds, Rikken, Terry, Upton, Vale, Waterman, Yeomans—36.

Absent or not voting:

Senators Baldwin, Boardman, Finn, Green, Oleson, Rowen, Turner—7.

So the Senate refused to adjourn.

The question being upon the amendment offered by Senator Jamison.

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Andrews, Chantry, Conaway, Finn, Gorrell, Harmon, Jamison, Jewett, Kilburn, Lewis, Palmer, Phelps, Rea—13.

The nays were:

Senators Bishop, Boardman, Brower, Carpenter, Cheshire, Craig, Dent, Downey, Ellis, Everall, Funk, Garst, Green, Groneweg, Harper, Harsh, Henderson, Hipwell, Hurst, Kelly, Lehfeldt, Mattoon, Penrose, Perrin, Perry, Reynolds, Rigger, Upton, Vale, Yeomans—31.

Absent or not voting:

Senators Baldwin, Eaton, Oleson, Rowen, Turner, Waterman—6.

So the amendment was lost.

Senator Andrews moved that the Senate do now adjourn.

Upon this the yeas and nays were demanded.

On the question, "Shall the Senate adjourn?" the yeas were:

Senators Andrews, Gorrell, Green, Jamison, Kilburn, Palmer, Phelps, Terry, Upton—9.

The nays were:

Senators Bishop, Boardman, Brower, Carpenter, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Everall, Funk, Garst, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jewett, Kelly, Lehfeldt, Lewis, Mattoon, Penrose, Perrin, Perry, Reynolds, Rigger, Vale, Waterman, Yeomans—34.

Absent or not voting:

Senators Baldwin, Chantry, Finn, Oleson, Rea, Rowen, Turner—7.

So the Senate refused to adjourn.

Senator Lewis moved that when the Senate adjourn, it adjourn until 7:30 o'clock P. M.

Upon this the yeas and nays were demanded.

On the question, "Shall the Senate, when it adjourns, adjourn to 7:30 P. M.?" the yeas were:

Senators Andrews, Bishop, Boardman, Carpenter, Chantry, Cheshire, Craig, Everall Funk, Harmon, Harsh, Jewett, Lehfeldt, Lewis, Penrose, Perrin, Reynolds, Rigger, Turner, Upton, Vale, Waterman—22.

The nays were:

Senators Brower, Conaway, Dent, Downey, Eaton, Ellis, Finn, Garst, Gorrell, Green, Groneweg, Harper, Henderson, Hipwell, Hurst, Jamison, Kelly, Kilburn, Mattoon, Palmer, Perry, Phelps, Rea, Terry, Yeomans—25.

Absent or not voting:

Senators Baldwin, Oleson, Rowen—3.

So the motion was lost.

Senator Kilburn offered the following amendment:

Strike out of fifth line of section 1 the word "four," and insert the word "fifty."

Lost.

Senator Jamison moved that the Senate do now adjourn.

Upon this the yeas and nays were demanded.

On the question, "Shall the Senate adjourn?" the yeas were:

Senators Andrews, Chantry, Henderson, Hurst, Jamison, Kilburn Palmer, Penrose, Phelps, Terry—10.

The nays were:

Senators Bishop, Boardman, Brower, Carpenter, Cheshire, Conway, Craig, Dent, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Gorrell, Groneweg, Harmon, Harper, Harsh, Hipwell, Kelly, Lehfeldt, Lewis, Mattoon, Perrin, Perry, Rea, Rigger, Turner, Upton, Vale, Waterman, Yeomans—34.

Absent or not voting:

Senators Baldwin, Green, Jewett, Oleson, Reynolds, Rowen—6.

So the Senate refused to adjourn.

Senator Yeomans moved the previous question.

Carried.

The question being upon the motion of Senator Dent, that the rules be suspended, and the bill be considered engrossed and read a third time now.

Upon this the yeas and nays were demanded.

On the question, "Shall the bill be read a third time now?" the yeas were:

Senators Bishop, Brower, Carpenter, Cheshire, Conaway, Craig, Dent, Downey, Ellis, Everall, Funk, Garst, Green, Groneweg, Harmon, Harper, Harsh, Hipwell, Hurst, Kelly, Lehfeldt, Mattoon, Perrin, Perry, Reynolds, Rigger, Terry, Upton, Waterman, Yeomans—30.

The nays were:

Senators Andrews, Chantry, Eaton, Finn, Gorrell, Henderson, Jamison, Jewett, Kilburn, Palmer, Penrose, Phelps, Rea, Turner—14,

Absent or not voting:

Senators Baldwin, Boardman, Lewis, Oleson, Rowen, Vale—6.

So the motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Bishop, Brower, Carpenter, Cheshire, Conaway, Craig, Dent, Downey, Ellis, Everall, Funk, Garst, Green, Groneweg, Harper, Harsh, Hipwell, Hurst, Kelly, Lehfeldt, Mattoon, Perrin, Perry, Rigger, Terry, Upton, Yeomans—27.

The nays were:

Senators Andrews, Chantry, Eaton, Finn, Gorrell, Harmon, Her-

derson, Jamison, Jewett, Kilburn, Lewis, Palmer, Penrose, Phelps, Rea, Turner, Vale—17.

Absent or not voting:

Senators Baldwin, Boardman, Oleson, Reynolds, Rowen, Waterman—6.

So the bill passed.

Senator Dent offered the following amendment to the title:

Amend title of substitute for Senate file No. 330 by inserting after the word "wholesale" the words "for lawful purposes and export."

Carried.

The title was agreed to.

Senator Groneweg offered the following explanation of his vote:

MR. PRESIDENT—I desire to explain my vote. I vote for this bill (substitute for House file No. 330), because, it seems, that a more liberal measure cannot be enacted at this session, and it is at least one step in what I regard the right direction. When we allow an article to be sold we certainly should permit the manufacture of the same article. But laws should be enacted by the General Assembly and the question should not be relegated to the voters of the county in the manner this bill does. Laws should be uniform in their character and applicable to all parts of the State alike and every member of the General Assembly should be held responsible for his action. Therefore I vote aye under protest.

WM. GRONEWEG,

Senator from the Nineteenth District.

Senator Carpenter moved to reconsider the vote by which Senate file No. 330 passed the Senate.

Senator Dent moved that the motion to reconsider be laid on the table.

Carried.

Senator Vale moved that when the Senate adjourns, it adjourn to 8 o'clock this evening.

Senator Chantry moved to amend by making the time 8:30 o'clock A. M. to-morrow.

Lost.

Upon the motion of Senator Vale the yeas and nays were demanded.

On the question, "Shall the Senate, when it adjourns, adjourn to 8 o'clock this evening?" the yeas were:

Senators Boardman, Carpenter, Chantry, Cheshire, Craig, Dent, Downey, Everall, Funk, Garst, Harmon, Harsh, Henderson, Jewett, Lehfeltdt, Lewis, Penrose, Perrin, Reynolds, Rigger, Turner, Vale, Waterman—23.

The nays were:

Senators Andrews, Bishop, Brower, Eaton, Ellis, Finn, Gorrell,

Green, Groneweg, Hipwell, Hurst, Kelly, Kilburn, Mattoon, Palmer, Perry, Phelps, Rea, Terry, Upton, Yeomans—21.

Absent or not voting:

Senators Baldwin, Conaway, Harper, Jamison, Oleson, Rowen—6.

So the motion prevailed.

Senator Carpenter moved to reconsider the vote by which Senate file No. 415 passed the Senate.

Senator Cheshire moved to lay the motion on the table.

Carried.

REPORT OF SIFTING COMMITTEE.

Senator Carpenter, from the Sifting Committee, submitted the following report:

MR. PRESIDENT—Your Sifting Committee, to whom was referred all bills, etc., beg leave to report that they have had the same under consideration and have instructed me to report to the Senate, House file No. 283, no calendar number; Senate file No. 371, calendar No. 105; Committee Substitute for House file No. 313, no calendar number; House file No. 237, calendar No. 38; with the recommendation that they be considered in the order named in this report.

C. A. CARPENTER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Sifting Committee, to whom was referred all bills, etc., beg leave to report that they have had the same under consideration and have instructed me to report to the Senate committee substitutes House file No. 36, calendar No. 39; House file No. 227, calendar No. 50; Senate file No. 201, calendar No. 55; House file No. 174, calendar No. 42; Senate file No. 316, calendar No. 104; House file No. 520, calendar No. 116, with the recommendation that the bills be considered in the order named in this report, and that they will make further report hereafter.

C. A. CARPENTER,
Chairman.

Ordered passed on file.

Senator Cheshire moved that House messages be taken up.

Carried.

HOUSE MESSAGES.

House file No. 650, a bill for an act authorizing the acceptance of gifts for public institutions of the State, the execution by the executive council of contracts relating to such gifts and the management and control of property so received and held, was read first and second times and referred to Sifting Committee.

Senator Kelly moved that Senate file No. 405 be referred to the Sifting Committee.

Carried.

Senator Jamison moved that the Senate do now adjourn.

Carried.

The Senate adjourned.

EVENING SESSION.

Senate met pursuant to adjournment at 8:00 o'clock P. M., President Dungan presiding.

The hour for the special order having arrived House file No. 397, a bill for an act to declare void certain provisions in policies of fire insurance and to require the Auditor of State to refuse to authorize insurance companies whose policies contain such provisions to do business in this State, with report of committee recommending passage, was taken up, considered, and the report of the committee was read.

Senator Perry moved that the rule be suspended, and the bill be considered engrossed and read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Gorrell, Groneweg, Harsh, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfeldt, Lewis, Palmer, Penrose, Perry, Phelps, Rea, Reynolds, Rikken, Terry, Turner, Vale, Waterman—38.

The nays were:

Senators Rowen, Upton—2.

Absent or not voting:

Senators Brower, Dent, Green, Harmon, Harper, Henderson, Mattoon, Oleson, Perrin, Yeomans—10.

So the bill passed.

Senator Andrews offered the following amendment to the title:

Amend the title by inserting the words "of state," after the words "auditor," in the second line of title of printed bill."

Lost.

The title was agreed to.

Senator Lewis, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 190, a bill for an act providing for the continuance of the Iowa

geological survey, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

L. W. LEWIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 338, a bill for an act to make an appropriation for the further care of the insane, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

L. W. LEWIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 419, a bill for an act making appropriations for the purchase of a site for an additional hospital for the insane of the State and the commencement of the construction of the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. W. LEWIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House file No. 372, a bill for an act providing for the continuance of the Iowa Geological Survey, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. W. LEWIS,
Chairman.

Ordered passed on file.

INTRODUCTION OF BILLS.

By Committee on Judiciary, Senate file No. 416, a bill for an act to legalize the acts of the city council and board of public works of the city of Des Moines in entering into certain contracts for paving with Des Moines Brick Manufacturing Company.

Read first and second times and referred to Sifting Committee.

By Senator Ellis, Senate file No. 417, a bill for an act to amend section 432 of the Code of 1873, as amended by section 1, chapter 3, of the acts of the Seventeenth General Assembly, relative to the uniting of adjacent incorporated cities and towns.

Read first and second times and referred to Sifting Committee.

By Committee on Appropriations, Senate file No. 419, a bill for an

act making an appropriation for the purchase of a site for an additional hospital for the insane at Cherokee.

Read first and second times and referred to Sifting Committee.

By Senator Ellis, Senate file No. 420, a bill for an act to appropriate money to procure for the Governor's rooms in the Capitol, portraits of ex-Governors J. G. Newbold, John H. Gear, B. R. Sherman, William Larrabee, and Horace Boies.

Read first and second times and referred to Sifting Committee.

Leave of absence was granted Senator Mattoon.

House file No. 283, a bill for an act to amend chapter 10, title 3, of the Code of 1873, relating to selecting and drawing jurors was taken up and considered.

Bill read for information.

Senator Baldwin moved that the bill be read a third time now.

Carried.

Senator Andrews moved that the reading just finished be considered the third reading.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Downey, Eaton, Ellis, Everall, Garst, Groneweg, Harmon, Harsh, Hipwell, Jamison, Lehfeldt, Lewis, Palmer, Perrin, Perry, Phelps, Rea, Reynolds, Rowen, Terry, Turner, Upton, Vale, Waterman—33.

The nays were:

Senators Finn, Gorrell, Hurst, Rikken—4.

Absent or not voting:

Senators Brower, Dent, Funk, Green, Harper, Henderson, Jewett, Kelly, Kilburn, Mattoon, Oleson, Penrose, Yeomans—13.

So the bill passed and the title was agreed to.

Senate file No. 371, a bill for an act to authorize railway corporations now existing or hereafter created, including consolidated corporations, to provide by by-laws or otherwise for conferring on bond holders the right to vote at corporate elections, with report of committee recommending passage, was taken up, considered, and the report of the committee was read.

Senator Carpenter moved that the rule be suspended, and the bill be considered engrossed and read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Downey, Everall, Gorrell, Harmon, Harsh, Hipwell, Hurst, Jamison, Kelly, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rikken, Rowen, Terry, Upton, Vale, Waterman—30.

The nays were:

Senator Kilburn—1.

Absent or not voting:

Senators Brower, Dent, Eaton, Ellis, Finn, Funk, Garst, Green, Groneweg, Harper, Henderson, Jewett, Kelly, Lehfelddt, Lewis, Mattoon, Oleson, Turner, Yeomans—19.

So the bill passed and title was agreed to.

REPORT OF COMMITTEE.

Senator Carpenter, from the Sifting Committse submitted the following report:

MR. PRESIDENT—Your Sifting Committee, to whom was referred all bills, etc., beg leave to report that they have had the same under consideration and have instructed me to report to the Senate, House file No. 72, calendar No. 119; Senate file No. 300, calendar No. 53; Senate file No. 6, calendar No. 5; substitute for House file No. 47, calendar No. 91; Senate file No. 224, calendar No. 7; Senate file No. 281, calendar No. 25; House file No. 218, calendar No. 152; House file No. 97, calendar No. 111; House file No. 236, calendar No. 133; House file No. 324, calendar No. 101, with the recommendation that the bills be considered in the order they appear in this report and that the committee will make further report hereafter.

C. A. CARPENTER,
Chairman.

Ordered passed on file.

Substitute for House file No. 313, a bill for an act amending section 1 of chapter 12 of the acts of the Twenty-fourth General Assembly, and granting additional powers to certain cities.

Senator Garst moved that the bill be read a third time now.

Lost.

Senator Perry moved that the bill be indefinitely postponed.

Upon this the yeas and nays were demanded.

On the question "Shall the substitute be indefinitely postponed?" the yeas were:

Senators Bishop, Craig, Downey, Eaton, Finn, Gorrell, Groneweg, Hurst, Kilburn, Penrose, Perry, Phelps, Terry, Turner, Upton—15.

The nays were:

Senators Andrews, Boardman, Carpenter, Chantry, Conaway Ellis, Everall, Funk, Garst, Harmon, Hipwell, Kelly, Lewis, Perrin Rea, Reynolds, Riggen, Rowen, Vale—19.

Absent or not voting:

Senators Baldwin, Brower, Cheshire, Dent, Green, Harper, Harsh, Henderson, Jamison, Jewett, Lehfelddt, Mattoon, Oleson, Palmer Waterman, Yeomans—16.

So the motion was lost.

Senator Garst moved that the substitute be read a third time to-morrow.

Carried.

Senate file No. 416, a bill for an act to legalize the acts of the city council and board of public works of the city of Des Moines in entering into certain contracts for paving with Des Moines Brick Manufacturing Company, was taken up and considered.

Senator Cheshire moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Boardman, Carpenter, Cheshire, Craig, Downey, Ellis, Everall, Funk, Garst, Harmon, Hipwell, Hurst, Kelly, Lehfelddt, Palmer, Penrose, Perrin, Perry, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale—27.

The nays were:

Senator Finn—1.

Absent or not voting:

Senators Andrews, Bishop, Brower, Chantry, Conaway, Dent, Eaton, Gorrell, Green, Groneweg, Harper, Harsh, Henderson, Jamison, Jewett, Kilburn, Lewis, Mattoon, Oleson, Phelps, Waterman, Yeomans—22.

So the bill passed and the title was agreed to.

Senator Ellis moved that the Senate do now adjourn.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, April 3, 1894. }

Senate met in regular session at 9 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. W. A. Black, of Des Moines.

PETITIONS AND MEMORIALS.

Senator Yeomans presented a petition from farmers and business men of Jasper county, asking for the repeal of the hunters' trespass bill.

Referred to Sifting Committee.

Senator Oleson presented a petition from citizens of Calhoun county on same subject.

Same reference.

Also petitions from citizens of Webster county, Iowa, protesting against passage of Senate file No. 28.

Same reference.

Also:

Petitions from citizens of Mapleton, Dayton, Pomeroy, Ft. Dodge, Lohrville, Manson, and Gowrie, Iowa, protesting against passage of Senate file No. 298.

REPORTS OF COMMITTEES.

Senator Gorrell, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 352, a bill for an act to indemnify Ellen Nesten for the loss of certain lands for which she held title from the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the information that sufficient data has not been obtained to justify the committee in recommending it.

J. R. GORRELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 381, a bill for an act to appropriate money to reimburse members of the pharmacy commission for money paid out by them for which no returns have been made, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. R. GORRELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Claims, to whom was referred House file No. 220, a bill for an act to reimburse the members and heirs of members of the Second and Third Iowa Infantry for "gray" uniforms purchased during the war, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

J. R. GORRELL,
Chairman.

Ordered passed on file.

Senator Carpenter moved to reconsider the vote by which House file No. 283, passed the Senate.

Carried.

Senator Carpenter moved to reconsider the vote by which House file No. 283 was passed to third reading.

Carried.

Senator Perry moved that House file No. 22, a bill for an act to regulate the liability of insurers against loss or damage by fire, be taken up for consideration.

Senator Harper moved that the bill be referred to the Sifting Committee.

Upon this the yeas and nays were demanded.

On the question, "Shall the bill be referred to the Sifting Committee?" the yeas were:

Senators Boardman, Carpenter, Cheshire, Dent, Ellis, Finn, Funk, Harmon, Harper, Henderson, Jamison, Kilburn, Mattoon, Penrose, Perrin, Rea, Rowen, Turner, Upton, Waterman—20.

The nays were:

Senators Andrews, Baldwin, Bishop, Brower, Chantry, Conaway, Craig, Downey, Eaton, Garst, Gorrell, Groneweg, Hipwell, Hurst, Jewett, Kelly, Lehfeldt, Lewis, Oleson, Palmer, Perry, Phelps, Reynolds, Vale, Yeomans—25.

Absent or not voting:

Senators Everall, Green, Harsh, Rigger, Terry—5.

So the motion was lost.

The question being upon Senator Perry's motion to take up House file No. 22 for consideration.

Upon this the yeas and nays were demanded.

On the question, "Shall House file No. 22 be taken up now?" the yeas were:

Senators Andrews, Baldwin, Bishop, Brower, Chantry, Conaway, Craig, Downey, Eaton, Everall, Gorrell, Groneweg, Hipwell, Hurst, Jewett, Kelly, Mattoon, Oleson, Palmer, Perry, Phelps, Reynolds, Turner, Vale, Waterman, Yeomans—26.

The nays were:

Senators Boardman, Carpenter, Cheshire, Dent, Finn, Funk, Garst, Harmon, Harper, Henderson, Jamison, Kilburn, Lehfeldt, Lewis, Penrose, Perrin, Rea, Rowen, Upton—19.

Absent or not voting:

Senators Ellis, Green, Harsh, Rigger, Terry—5.

So the motion prevailed.

Senator Perry moved that the bill be read a third time now.

Senator Finn offered the following amendment:

Amend by inserting the word "farm" before the word "building" in the first line.

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Dent, Ellis, Finn, Funk, Garst, Harmon, Harper, Henderson, Jamison, Jewett, Lehfeldt, Lewis, Palmer, Penrose, Perrin, Rea, Rowen, Turner, Vale, Waterman—26.

The nays were:

Senators Conaway, Craig, Downey, Eaton, Gorrell, Groneweg, Hipwell, Hurst, Kelly, Kilburn, Perry, Phelps, Reynolds, Rigger, Upton, Yeomans—16.

Absent or not voting:

Senators Andrews, Baldwin, Everall, Green, Harsh, Mattoon, Oleson, Terry—8.

So the amendment was adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 627, a bill for an act to amend section 3895 of the Code of 1873.

House file No. 418, a bill for an act to provide for the publication and distribution of the proceedings of the State Teachers' Association.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed the following bill, in which the concurrence of the House was asked:

Senate file No. 385, a bill for an act to legalize the ordinances of the incorporated town of Valley Junction, Iowa.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 398, a bill for an act to legalize the organization of the Independent District of Valley Junction, Polk county, Iowa.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the House was asked:

Senate file No. 407, a bill for an act making an appropriation for the erection of a dormitory for widows and mothers of soldiers and sailors and army nurses at the Iowa, Soldiers' Home at Marshalltown, Iowa.

Senate file No. 406, a bill for an act to legalize certain acts of the incorporated town of West Union, the change of grade of same from an incorporated town to a city of the second class, the organization of same as such city, and the election of its officers.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 139, a bill for an act to amend chapter 193, acts of the Twentieth General Assembly, and make further provision in reference to the investment of the endowment fund of the Iowa State Agricultural College and Farm.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 645, a bill for an act for the relief of the grantees of Reuben Mathews and to have patent issue to him for a certain tract of land.

House file No. 643, a bill for an act to legalize certain conveyances made to the Congregational Society of Iowa City and acts done by it before its incorporation.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 625, a bill for an act to legalize the ordinances of the incorporated town of Bode, Humboldt county, Iowa, and all proceedings of the council thereunder.

House file No. 642, a bill for an act to legalize the acts of Lewis Larson in qualifying director of the independent district of Forest City, in the county of Winnebago, Iowa.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

House file No. 596, a bill for an act to legalize the official acts of the town council and ordinances of the incorporated town of Correctionville, Iowa.

House file No. 635, a bill for an act to legalize the official acts of Thomas White, a notary public of Mahaska county, Iowa.

House file No. 631, a bill for an act to legalize conveyances of real property by executors or trustees under foreign wills.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bills, in which the concurrence of the House was asked:

Senate file No. 414, a bill for an act to legalize the annexation of territory to certain cities.

Senate file No. 411, a bill for an act to legalize certain acts of the board of supervisors of Clinton county, in relation to the levy of taxes.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate file No. 194, a bill for an act to amend section 461 of the Code of Iowa in reference to the establishment and maintenance of free public libraries.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the Senate amendment to the following bill in which the concurrence of the House was asked:

House file No. 599, a bill for an act to amend section 1967 of the Code, as amended by chapter 42 of the acts of the Twenty-fourth General Assembly, relating to acknowledgments of instruments.

I. K. WILSON,
Chief Clerk.

Senator Kelly offered the following amendment:

Strike from the bottom of the bill the name of "George W. Wyckoff, of Appanoose county."

Adopted.

Senator Bishop offered the following amendment.

Insert after the word "farm," in the first line of section 1 as amended, the words, "or suburban."

Adopted.

Senator Harper offered the following amendment:

Amend section 1 of the bill by adding thereto after the last word the following: "*Provided*, that in case it shall appear upon the trial of any suit upon an insurance policy that the actual cash value of the property destroyed or damaged shall be less than the amount named in the policy, that in such event the assured shall not recover any greater amount than three-fourths of the actual cash value of the property, and that there shall be entered up against the defendant a judgment in favor of the school fund for an amount equal to the difference between such three-fourths of the actual cash value of the property and the amount named in the policy."

Lost.

Senator Jamison offered the following amendment:

Amend section 1 by adding after "policy" in the eighth line the following:

Provided, That the company, if it so elect, rebuild or replace the property destroyed with other property of equal value and goodness, and similar in all respects so far as practicable to the property destroyed. The assured or his assigns shall pay to the company so rebuilding the same the difference between the actual cash value of the property destroyed and that built by the company. Such difference in value, in the absence of an agreement between the parties, shall be ascertained by arbitrators, the assured and the company each choosing one and these two choosing a third. The decision in writing of any two of them shall be conclusive and binding on both parties as to the difference in value of such property only.

Before commencing to rebuild or replace the property destroyed the insurance company may require the assured or claimant to furnish it with a good and sufficient bond with sureties to be approved by the clerk of the district court of the county in which the loss occurs, in a penalty equal to the amount of the insurance, conditioned that the assured or claimant will pay the insurance company the difference between the actual cash value of the property destroyed and that built by the company to replace the same.

In order to avail itself of the conditions of this section, the insurance company shall notify the assured or claimant within sixty (60) days after the loss occurs, of its intention to rebuild or replace the property destroyed. In order for the assured or claimant to avail himself of this section, he shall, within thirty days after service upon him of said written notice, give to the said company or association, the bond as hereinbefore provided.

If for thirty days after service of the notice by the company of its election to rebuild or replace the property, the assured or claimant neglects or fails to furnish to the company the bond as hereinbefore provided, he shall not be entitled to avail himself of any of the provisions of this section, or of the valued policy law so called.

Senator Waterman offered the following amendment to the amendment:

Amend amendment by striking out all after the word "destroyed," in the fourth line.

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment to the amendment prevail?" the yeas were:

Senators Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Dent, Ellis, Finn, Garst, Harmon, Harper, Henderson, Jewett, Lehfeldt, Lewis, Mattoon, Penrose, Perrin, Rea, Rowen, Waterman—22.

The nays were:

Senators Andrews, Craig, Downey, Eaton, Everall, Gorrell, Groneweg, Harsh, Hipwell, Hurst, Jamison, Kelly, Kilburn, Oleson, Palmer, Perry, Phelps, Rikken, Turner, Vale, Yeomans—21.

Absent or not voting:

Senators Brower, Conaway, Funk, Green, Reynolds, Terry, Upton—7.

Senator Bishop offered the following amendment to the amendment:

Add after the last amendment, "When so stipulated in the policy."

Adopted.

The question being upon the adoption of the amendment offered by Senator Jamison.

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Bishop, Boardman, Carpenter, Cheshire, Conaway, Dent, Ellis, Finn, Garst, Harmon, Harper, Henderson, Jamison, Kilburn, Lehfeldt, Lewis, Mattoon, Penrose, Perrin, Rea, Rowen, Turner, Upton, Waterman—24.

The nays were:

Senators Andrews, Chantry, Craig, Downey, Eaton, Everall, Gorrell, Groneweg, Harsh, Hipwell, Hurst, Jewett, Kelly, Oleson, Palmer, Perry, Phelps, Reynolds, Rikken, Vale, Yeomans—21.

Absent or not voting:

Senators Baldwin, Brower, Funk, Green, Terry—5.

So the amendment was adopted.

Senator Jamison offered the following amendment:

Amend by adding after section 1, the following: "And when the building is so constructed the same shall be accepted in full consideration of the loss by the insured."

Senator Groneweg moved that the amendment be laid on the table.
Carried.

The President announced that the tabling of the amendment carried the bill to the table with it.

Senator Dent moved that House messages be taken up for consideration.

Carried.

HOUSE MESSAGES.

Senator Harper moved that the Senate concur in House amendments to Senate file No. 194, a bill for an act to amend section 464 of the Code of Iowa, in reference to the establishment and maintenance of free public libraries.

On the question, "Shall the Senate concur in the House amendments?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Finn, Funk, Groneweg, Harmon, Harper, Harsh, Hipwell, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Oleson, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Rowen, Turner, Upton, Vale, Waterman—37.

The nays were:

None.

Absent or not voting:

Senators Brower, Ellis, Everall, Garst, Gorrell, Green, Henderson, Hurst, Jamison, Mattoon, Perry, Terry, Yeomans—13.

So the Senate concurred in the House amendments.

Senator Cheshire moved that the Senate concur in House amendments to Senate file No. 414, a bill for an act to legalize the annexation of territory to certain cities.

On the question, "Shall the Senate concur in House amendment?" the yeas were:

Senators Andrews, Baldwin, Carpenter, Cheshire, Conaway, Craig, Dent, Downey, Ellis, Everall, Funk, Gorrell, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Jewett, Lehfelddt, Lewis, Oleson, Penrose, Perrin, Perry, Rea, Reynolds, Rigger, Rowen, Turner, Upton, Vale—32.

The nays were:

None.

Absent or not voting:

Senators Bishop, Boardman, Brower, Chantry, Eaton, Finn, Garst, Green, Hurst, Jamison, Kelly, Kilburn, Mattoon, Palmer, Phelps, Terry, Waterman, Yeomans—18.

So the Senate concurred in House amendments.

Senator Ellis moved that the Senate concur in House amendments to Senate file No. 411, a bill for an act to legalize certain acts of the board of supervisors of Clinton county in relation to the levy of taxes.

On the question, "Shall the Senate concur in House amendments?" the yeas were:

Senators Andrews, Baldwin, Bishop, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Ellis, Everall, Funk, Garst, Gorrell, Groneweg, Harmon, Harper, Harsh, Henderson, Jamison, Jewett, Kelly, Lehfelddt, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Turner, Upton, Vale, Waterman—39.

The nays were:

None.

Absent or not voting:

Senators Boardman, Brower, Eaton, Finn, Green, Hipwell, Hurst, Kilburn, Mattoon, Terry, Yeomans—11.

So the Senate concurred in House amendments.

House file No. 596, a bill for an act to legalize the official acts of of the town council and ordinances of the incorporated town of Correctionville, Iowa, was read first and second times and referred to Sifting Committee.

House file No. 635, a bill for an act to legalize the official acts of Thomas White, a notary public of Mahaska county, Iowa, was read first and second times and referred to Sifting Committee.

House file No. 631, a bill for an act to legalize conveyances of real property by executors or trustees under foreign wills, was read first and second times.

Senator Dent moved that the rule be suspended, and the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Everall, Funk, Gorrell, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Rea, Reynolds, Rigger, Rowen, Turner, Upton, Vale—40.

The nays were:

None.

Absent or not voting:

Senators Brower, Finn, Garst, Green, Hurst, Mattoon, Phelps, Terry, Waterman, Yeomans—10.

So the bill passed and the title was agreed to.

House file No. 625, a bill for an act to legalize the ordinances of the incorporated town of Bode, Humboldt county, Iowa, and all proceedings of the council thereunder, was referred to Sifting Committee.

House file No. 642, a bill for an act to legalize the acts of Lewis Larson in qualifying director of the Independent district of Forest City, in the county of Winnebago, Iowa, was read first and second times and referred to Sifting Committee.

House file No. 645, a bill for an act for the relief of the grantees of Reuben Mathews, and to have patent issue to him for a certain tract of land, was read first and second times.

House file No. 643, a bill for an act to legalize certain conveyances made to the Congregational Society of Iowa City and acts done by it before its incorporation, was read first and second times.

Senator Kelly moved that House file No. 643 be taken up for consideration now.

Carried.

Senator Kelly moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Boardman, Carpenter, Chantry, Cheshire, Conway, Craig, Dent, Downey, Eaton, Ellis, Everall, Funk, Garst, Gorrell, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Turner, Upton, Vale, Waterman—41.

The nays were:

None.

Absent or not voting:

Senators Andrews, Bishop, Brower, Finn, Green, Hurst, Mattoon, Terry, Yeomans—9.

So the bill passed and the title was agreed to.

Senator Perry moved that House file No. 645 be taken up for consideration now.

Carried.

Senator Perry moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conway, Craig, Dent, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Gorrell, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Jamison, Jewett, Kelly, Lehfelddt, Lewis,

Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Turner, Vale, Waterman—43

The nays were:

None.

Absent or not voting:

Senators Brower, Green, Hurst, Kilburn, Terry, Upton, Yeomans—7.

So the bill passed and the title was agreed to.

House file No. 418, a bill for an act to provide for the publication and distribution of the proceedings of the State Teachers' Association, was read first and second times and referred to Sifting Committee.

House file No. 627, a bill for an act to amend section 3895 of the Code of 1873, was read first and second times.

Senator Harper moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Cheshire, Craig, Dent, Downey, Eaton, Everall, Funk, Gorrell, Harper, Henderson, Hipwell, Jamison, Jewett, Kelly, Kilburn, Lehfeltdt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perry, Phelps, Rea, Reynolds, Rigger, Turner, Upton, Vale, Waterman—35.

The nays were:

Senators Ellis, Perrin—2.

Absent or not voting:

Senators Brower, Chantry, Conaway, Finn, Garst, Green, Groneweg, Harmon, Harsh, Hurst, Rowen, Terry, Yeomans—13.

So the bill passed and the title was agreed to.

Senator Harper moved to reconsider the vote by which House file No. 627 passed the Senate.

Senator Lewis moved that the motion to reconsider be laid on the table.

Upon this the yeas and nays were demanded.

On the question, "Shall the motion to reconsider be laid on the table?" the yeas were:

Senators Andrews, Bishop, Boardman, Cheshire, Craig, Dent, Downey, Eaton, Everall, Finn, Garst, Gorrell, Harper, Henderson, Hipwell, Kelly, Lehfeltdt, Lewis, Mattoon, Penrose, Perry, Phelps, Reynolds, Vale, Waterman—25.

The nays were:

Senators Baldwin, Chantry, Conaway, Ellis, Groneweg, Harmon, Jamison, Jewett, Kilburn, Palmer, Perrin, Rea, Rigger, Turner, Upton—15.

Absent or not voting:

Senators Brower, Carpenter, Funk, Green, Harsh, Hurst, Oleson, Rowen, Terry, Yeomans—10.

So the motion prevailed.

Senator Jamison moved that Senate file No. 290 be referred to the Sifting Committee at once.

Carried.

Senator Carpenter moved that the Senate do now adjourn until 2:30 o'clock P. M.

Carried.

The Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2:30 o'clock P. M., President Dungan presiding.

Senator Rowen offered the following explanation:

I desire to explain my absence on roll call on the substitute for House file No. 330. I had been excused by reason of illness and did not expect a vote on the bill at this time. Had I been present I would have voted against the bill.

J. E. ROWEN.

REPORTS OF STANDING COMMITTEES.

Senator Chantry, from the Committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred Senate Joint Resolution No. 12, preamble and joint resolution relating to relief for the incurable insane, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Sifting Committee.

A. J. CHANTRY,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred Senate file No. 153, a bill for an act to provide for the establishment of a board of supervision and control of State institutions and officers, beg leave to

report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Sifting Committee.

A. J. CHANTRY,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred Senate file No. 404, a bill for an act to establish the Industrial Home for the Deaf, and providing for its erection and government, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Sifting Committee.

A. J. CHANTRY.
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred Senate file No. 84, a bill for an act to amend chapter 40, acts of the Nineteenth General Assembly, relative to the care of idiotic persons, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Sifting Committee.

A. J. CHANTRY,
Chairman.

Ordered passed on file.

Senator Waterman, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 140, a bill for an act to amend section 1. chapter 18 of the acts of the Twenty-second General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 401, a bill for an act to amend section 468 of the Code relative to building of temporary sidewalks in cities and incorporated towns, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 375, a bill for an act to enable cities of the first class to issue bonds

payable out of special assessments for street improvements, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

H. L. WATERMAN,
Chairman.

Ordered passed on file.

Senator Turner, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance to whom was referred Senate file No. 319, a bill for an act for the better protection of persons holding policies in life insurance companies or associations other than mutual benefit associations, and providing penalties, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

G. A. TURNER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 297, a bill for an act to declare void certain provisions in policies of fire insurance companies and to require the auditor to refuse to authorize insurance companies whose policies contain such provisions to do business in this State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

G. A. TURNER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 288, a bill for an act to amend section 18 of chapter 65 of the acts of the Twenty-first General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

G. A. TURNER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 279, a bill for an act limiting the time in which an action may be brought on an insurance policy, and providing that insurance companies shall give the assured notice of pleading such limitation, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

G. A. TURNER,
Chairman.

Ordered passed on file.

Senator Harmon, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 212, a bill for an act relating to the taxing of costs in criminal cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. W. HARMON,
Chairman.

Ordered passed on file.

Senator Ellis presented a petition from citizens of Clinton county asking the passage of a law providing for a county board of children's guardians.

Referred to Sifting Committee.

Senator Garst moved that House file No. 313 be passed and retain its place on the calendar.

Carried.

House file No. 237, a bill for an act to amend chapter 167, laws of 1882, was taken up, considered, and the report of the committee was read.

Senator Carpenter moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Downey, Ellis, Everall, Finn, Funk, Garst, Gorrell, Harmon, Harper, Harsh, Hipwell, Hurst, Jewett, Kilburn, Lehfelddt, Lewis, Oleson, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rikken, Rowen, Terry, Turner, Upton, Vale, Waterman—38.

The nays were:

Senator Kelly—1.

Absent or not voting:

Senators Andrews, Brower, Dent, Eaton, Green, Groneweg, Henderson, Jamison, Mattoon, Perry, Yeomans—11.

So the bill passed and the title was agreed to.

Yesterday's journal was read, corrected and approved.

Substitute for House file No. 36, a bill for an act to provide for the payment of expense of establishing highways in certain cases, with report of committee recommending passage, was taken up, considered, and the report of the committee was read.

Senator Boardman moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Boardman, Brower, Carpenter, Chantry,

Cheshire, Conaway, Craig, Dent, Downey, Ellis, Garst, Gorrell, Harmon, Harper, Henderson, Kilburn, Lehfelddt, Rea, Rigger, Rowen, Terry, Vale—24.

The nays were:

Senators Bishop, Eaton, Everall, Finn, Funk, Harsh, Hurst, Jewett, Kelly, Lewis, Mattoon, Oleson, Palmer, Perrin, Phelps, Reynolds, Turner, Waterman—18.

Absent or not voting:

Senators Green, Groneweg, Hipwell, Jamison, Penrose, Perry, Upton, Yeomans—8.

So the bill having failed to receive a constitutional majority was declared lost.

Senator Oleson asked leave to have the journal show he would have voted for substitute to Senate file No. 330 had he been present.

So ordered.

The following communication on President's table was read by the secretary, and ordered spread upon the records: .

At the citizens' meeting at the board of trade rooms Friday night, relative to the observance of General Jones' 90th birthday, the Committee on Resolutions drafted the following, which were unanimously adopted:

WHEREAS, Hon. Frank D. Jackson, Governor of Iowa, has in a special message called the attention of the legislative assembly to the near approach of the ninetyeth birthday of our distinguished fellow citizen, Hon. Geo. W. Jones, and briefly mentioned historical facts which clearly entwine General Jones' name with that of the history of Iowa, and suggests the General be invited to become the guest of the State of Iowa on that occasion, and

WHEREAS, Both the Senate and the House of Representatives have by unanimous vote acted upon the Governor's suggestion and designated the 4th day of April, when Iowa, through its Legislative Assembly, will do honor to ex-Minister and ex-Senator Jones; therefore be it

Resolved, By the citizens of Dubuque, that our most sincere and heartfelt thanks be and they are hereby tendered to his excellency, Governor Jackson, for his thoughtful kindness and generous action, and to the members of the Senate and House of Representatives for their unanimous and highly complimentary note inviting General Jones to be the guest of the State of Iowa, April 4, 1894, which we consider no less an honor to the citizens of Dubuque than to its direct recipient, General Jones, and our grateful acknowledgments are also tendered to the mayor and members of the city council of Des Moines for graciously tendering to General Jones the freedom and hospitality of the city of Des Moines on the occasion of his visit to the capital metropolis.

Resolved, That during the sixty-four years ex-Minister and ex-Senator Jones has been a resident of Dubuque and of Sinsinawa Mound near by, he has, as our most earnest and active friend, done herculean work to advance and promote our general prosperity, and merits our lasting gratitude and friendship, and as the organizer of Iowa Territory and the godfather of the great State of Iowa and his life-long devotion to her best interests, he is deserving of the high compliment

about to be paid him, and the citizens of Dubuque will heartily co-operate to make the day memorable, not only to the city of Dubuque, but in the annals of Iowa.

Resolved, That his fidelity to Iowa and to her best interests, and his unswerving faithfulness to his friends, combined with his pure and unsullied private character, has justly endeared General Jones to our citizens here amongst whom he has resided two-thirds of a century.

Resolved. That a copy of these resolutions be transmitted to Governor Jackson and to the Senate and House of Representatives, to the city of Des Moines, to the daily press, and to the family of our distinguished citizen, whom all delight to honor.

CHAS. MCLEAN,
Secretary.

A. W. DAUGHERTY,
Chairman.

House file No. 227, a bill for an act to regulate the testing of milk, with report of committee recommending passage, was taken up, considered, and the report of the committee was read.

Senator Jewett moved that the rule be suspended, and the bill be read a third time now.

Senator Finn, president *pro tempore*, in the chair.

Senator Kelly offered the following amendment:

Strike out the word "Babcock" in sections 1 and 2 of the bill.

Lost.

The question being, "Shall the bill be read a third time now?"

Carried, and bill read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Chantry, Cheshire, Craig, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Gorrell, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Jamison, Jewett, Kilburn, Lehfeltdt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman—41.

The nays were:

Senator Kelly—1.

Absent or not voting:

Senators Brower, Carpenter, Conaway, Dent, Green, Hurst, Perry, Yeomans—8.

So the bill passed and the title was agreed to.

Senator Lewis moved to recall Senate file No. 419, from Sifting Committee.

Carried.

Senator Lewis moved that Senate file No. 419, a bill for an act making an appropriation for the purchase of a site for an additional hospital for the insane at Cherokee, be taken up for consideration.

Carried.

Senator Lewis moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Gorrell, Groneweg, Harmon, Harper, Harsh, Henderson, Hurst, Jamison, Jewett, Kelly, Lehfelddt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Upton, Vale, Waterman—43.

The nays were:

None.

Absent or not voting:

Senators Brower, Carpenter, Green, Hipwell, Kilburn, Turner, Yeomans—7.

So the bill passed and the title was agreed to.

Senate file No. 201, a bill for an act to amend section 3861 of the Code, as amended by section 1, chapter 114, of the acts of the Twenty-first General Assembly, in relation to offenses against life and the person, was taken up, considered and the report of the committee read.

Senator Rowen moved the amendments proposed by the committee be adopted.

Carried.

Senator Rowen moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Craig, Downey, Eaton, Everall, Finn, Funk, Garst, Gorrell, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman—43.

The nays were:

None.

Absent or not voting:

Senators Brower, Conaway, Dent, Ellis, Green, Perry, Yeomans—7.

So the bill passed and the title was agreed to.

Senator Rowen was granted leave of absence.

House file No. 174, a bill for an act to amend section 3832 of the Code, in relation to the publication of legal notices, with report of

committee recommending passage, was taken up, considered, and the report of committee was read.

Senator Funk moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Carpenter, Chantry, Cheshire, Conway, Craig, Eaton, Everall, Finn, Funk, Garst, Gorrell, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lewis, Mattoon, Oleson, Palmer, Perrin, Phelps, Rea, Reynolds, Rigger, Terry, Turner, Upton, Vale—37.

The nays were:

Senators Bishop, Penrose—2.

Absent or not voting:

Senators Boardman, Brower, Dent, Downey, Ellis, Green, Lehfeldt, Perry, Rowen, Waterman, Yeomans—11.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House file No. 321, a bill for an act to protect the keepers of stallions for service.

I. K. WILSON,
Chief Clerk

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate file No. 317, a bill for an act to repeal chapter 14 of the laws of the Twenty-third General Assembly, as amended by chapter 9, of the laws of the Twenty-fourth General Assembly, relating to paving, curbing and sewerage in cities under special charter and to enact a substitute therefor.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following joint resolution, in which the concurrence of the House was asked:

Senate joint resolution No. 5, to amend the constitution of the State of Iowa relative to the sale of intoxicating liquors as a beverage.

I. K. WILSON,
Chief Clerk.

Senator Carpenter asked leave to file a motion to recall from the House House file No. 283.

Leave granted and motion filed.

Senate file No. 316, a bill for an act relating to certain contracts for the conditional sale, lease or hire of railroad property and street railway equipments and rolling stock, and providing for the recording thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee was read.

Senator Harmon moved that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Carpenter, Chantry, Conway, Craig, Dent, Downey, Funk, Gorrell, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Jamison, Jewett, Kelly, Kilburn, Oleson, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Terry, Turner, Upton, Vale, Waterman—34.

The nays were:

None.

Absent or not voting:

Senators Boardman, Brower, Cheshire, Eaton, Ellis, Everall, Finn, Garst, Green, Hurst, Lehfelddt, Lewis, Mattoon, Perry, Rowen, Yeomans—16.

So the bill passed and the title was agreed to.

Senator Hipwell moved that House Messages be taken up.

Carried.

HOUSE MESSAGES.

Senator Hipwell moved that the Senate concur in House amendments to Senate file No. 317, a bill for an act to repeal chapter 14 of the laws of the Twenty-third General Assembly, as amended by chapter 9, of the laws of the Twenty-fourth General Assembly, relating to paving, curbing and sewerage in cities under special charter and to enact a substitute therefor.

On the question, "Shall the Senate concur in House amendments?" the yeas were:

Senators Andrews, Baldwin, Boardman, Carpenter, Chantry, Cheshire, Craig, Dent, Downey, Ellis, Finn, Funk, Gorrell, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Kelly, Kilburn, Lehfelddt, Lewis, Mattoon, Oleson, Palmer, Perrin, Phelps, Rea, Reynolds, Rigger, Terry, Turner, Vale—35.

The nays were:

None.

Absent or not voting:

Senators Bishop, Brower, Conway, Eaton, Everall, Garst, Green,

Jamison, Jewett, Palmer, Perry, Rowen, Upton, Waterman, Yeomans—15.

So the Senate concurred in the House amendments.

President Dungan in the chair.

House amendments to Senate Joint Resolution No. 5, relative to a change in the constitution of the State of Iowa, was referred to Sifting Committee.

House file No. 321, a bill for an act to protect keepers of stallions for service, was read first and second times.

House file No. 520, a bill for an act providing for the publication and distribution of the proceedings of the fourth reunion of the Pioneer Law-makers' Association of Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee was read.

Senator Carpenter moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Finn, Funk, Garst, Gorrell, Groneweg, Harmon, Harper, Harsh, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Oleson, Palmer, Perrin, Phelps, Reynolds, Rigger, Terry, Turner, Upton, Vale, Waterman—38.

The nays were:

None.

Absent or not voting:

Senators Brower, Everall, Green, Henderson, Hipwell, Hurst, Mattoon, Penrose, Perry, Rea, Rowen, Yeomans—12.

So the bill passed and the title was agreed to.

The Governor's private secretary appeared and presented

A MESSAGE FROM THE GOVERNOR.

STATE OF IOWA,
EXECUTIVE OFFICE. }
DES MOINES, April 3, 1894. }

MR. PRESIDENT—I am instructed by the Governor to inform you that he has approved, signed and deposited in the office of the Secretary of State the following bills:

Senate file No. 202, an act making appropriations for the Soldiers' Home at Marshalltown, Iowa.

Senate file No. 200, an act making appropriations for the Iowa Industrial School, boys' department, at Eldora, Iowa.

Senate file No. 226, an act making appropriations for the Penitentiary at Anamosa, Iowa.

Senate file No. 389, an act to legalize the acts and ordinances of the incorporated town of Oelwein, Fayette county, Iowa.

Senate file No. 315, an act applying sections 318 and 319 of the Code to taxes levied and collected by cities and towns under section 3049 of the Code and chapter 57 of the acts of the Sixteenth General Assembly.

Senate file No. 374, an act to legalize the election held in the town of Riverside, county of Washington, and State of Iowa.

Senate file No. 392, an act to legalize the acts of Zion's church of the Evangelical association in Charles City, Floyd county, Iowa, and its board of trustees.

Senate file No. 52, an act to amend section 17, chapter 94, of the Nineteenth General Assembly, relating to the dieting of prisoners.

Senate file No. 261, an act for the relief of Frederick M. Hull of the county of Webster.

W. S. RICHARDS,
Private Secretary.

House file No. 72, a bill for an act to provide for State depositories for public moneys, and to regulate deposits therein, was taken up and considered.

Senator Groneweg moved that the rule be suspended, and the bill be considered engrossed and read a third time now.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House file No. 652, a bill for an act making an appropriation for the purchase of a site for an additional hospital for the insane of the State and the construction of the same.

I. K. WILSON,
Chief Clerk.

Senator Lewis offered the following amendment:

Strike out all after the enacting clause and substitute the following:

Section 1. That section 3, chapter 57, of the laws of the Seventeenth General Assembly, be and is hereby amended by adding at the end thereof the following words:

"Also the payment of such a rate of interest on daily balances as shall be agreed upon with the executive council, provided that the rate of interest upon the average daily balances shall not be less than 3 per centum per annum, which interest shall be turned into the State treasury."

SEC. 2. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State *Register* and the Des Moines *Leader*, newspapers published in Des Moines, Iowa.

Upon this the yeas and nays were demanded:

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Andrews, Boardman, Carpenter, Cheshire, Conaway, Craig, Dent, Finn, Funk, Garst, Gorrell, Harmon, Henderson, Jamison, Jewett, Kilburn, Lehfeldt, Lewis, Palmer, Penrose, Rea, Rigger, Turner, Upton, Vale—25.

The nays were:

Senators Baldwin, Bishop, Chantry, Downey, Eaton, Everall, Groneweg, Harper, Harsh, Hipwell, Hurst, Kelly, Mattoon, Oleson, Perrin, Perry, Phelps, Reynolds, Terry, Waterman—20.

Absent or not voting:

Senators Brower, Ellis, Green, Rowen, Yeomans—5.

So the amendment was adopted.

Senator Lewis moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Cheshire, Conaway, Craig, Downey, Ellis, Everall, Finn, Funk, Garst, Gorrell, Groneweg, Harmon, Harper, Harsh, Hurst, Jewett, Kelly, Kilburn, Lehfeldt, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Rea, Reynolds, Rigger, Turner, Upton, Vale, Waterman—37.

The nays were:

Senators Chantry, Dent, Eaton, Henderson, Mattoon, Phelps—6.

Absent or not voting:

Senators Brower, Green, Hipwell, Jamison, Rowen, Terry, Yeomans—7.

So the bill passed and the title was agreed to.

Senator Carpenter, from the Sifting Committee, submitted the following report.

MR. PRESIDENT—Your Sifting Committee, to whom was referred all bills, etc., beg leave to report that they have had the same under consideration and have instructed me to report to the Senate, House file No. 45, calendar No. 145; Senate file No. 138, calendar No. 1; Senate file No. 290, calendar No. 66; Senate file No. 225, calendar No. 51; House file No. 212, no calendar number; substitute for House file No. 117, calendar No. 88; Senate file No. 285, calendar No. 21; Senate file No. 412, no calendar number; House file No. 317, no calendar number; House file No. 220, no calendar number; House file No. 650, no calendar number, with the recommendation that the bills be considered in the order given in this report and that the committee will report further hereafter.

C. A. CARPENTER,
Chairman.

Ordered passed on file.

Senator Dent moved that House messages be taken up.

Carried.

HOUSE MESSAGES.

House file No. 652, a bill for an act making appropriations for the purchase of a site for an additional hospital for the insane of the State and the commencement of the construction of the same, was read first and second times and referred to Sifting Committee.

Senator Reynolds moved that the Senate do now adjourn.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, April 4, 1894. }

Senate met in regular session at 9 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. B. F. W. Cozier, of Colfax, Iowa.

REPORTS OF STANDING COMMITTEES.

Senator Harsh, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to which was referred Senate file No. 391, a bill for an act to repeal section 814 of the Code of 1873, asks leave to report that it has had the same under consideration and has instructed me to report the same back to the Senate without recommendation.

J. B. HARSH,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to which was referred Senate file No. 386, a bill for an act to exempt from taxation, asks leave to report that it has had the same under consideration, and has prepared a substitute therefor, and instructed me to report the same back to the Senate without recommendation.

J. B. HARSH,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to which was referred Senate file No. 151, a bill for an act for the permanent support and maintenance of the State University, asks leave to report that it has had the same under consideration and has instructed me to report the same back to the Senate without recommendation.

J. B. HARSH,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to which was referred Senate file No. 40, a bill for an act to provide and maintain necessary buildings

for the Iowa Agricultural College, further equip and support said college, and provide for the dissemination of information emanating from the college and experiment station connected therewith, asks leave to report that it has had the same under consideration and has instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. B. HARSH,
Chairman.

Ordered passed on file.

House file No. 313, a bill for an act amending section 1, chapter 14, as amended by section 1, of chapter 12, of the acts of the Twenty-fourth General Assembly, granting additional powers to certain cities, was taken up and considered.

Senator Garst moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Boardman Carpenter Chantry Dent Downey Ellis Funk Garst Harmon Harper Harsh Jamison Lehfeldt Lewis Mattoon Reynolds Rigger Terry Vale—19.

The nays were:

Senators Bishop Eaton Everall Groneweg Kilburn Oleson Palmer Penrose Perrin Phelps Turner—11.

Absent or not voting:

Senators Andrews Baldwin Brower Cheshire Conaway Craig Finn Gorrell Green Henderson Hipwell Hurst Jewett Kelly Perry Rea Rowen Upton Waterman Yeomans—20.

So the bill having failed to receive a constitutional majority, was declared lost.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate file No. 97, a bill for an act to amend section 2, chapter 161, acts of the Twenty-first General Assembly.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the House was asked:

Senate file No. 87, a bill for an act to authorize the building of another cottage on the grounds of the Iowa Hospital for the Insane at Independence.

Senate file No. 18, a bill for an act to amend chapter 48 of the acts of the Twenty-second General Assembly, relating to elections held within cities, and the registration of voters therein.

Senate file No. 27, a bill for an act to repeal chapter 103 of the acts of the

Twenty-first General Assembly of the State of Iowa, relating to release of judgments, mortgages, etc.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the House was asked:

Senate file No. 126, a bill for an act to amend section 894, Code of 1873.

Senate file No. 129, a bill for an act to amend chapter 44 of the acts of the Twenty-fourth General Assembly, in relation to warehouse receipts, making the same to apply to butter, eggs, cheese and dressed poultry.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has non-concurred in the following bills in which the concurrence of the House was asked:

Senate file No. 21, a bill for an act in regard to the professional instruction of common school teachers in normal and high schools.

Senate file No. 43, a bill for an act to amend section 1, chapter 16. laws of the Twenty-second General Assembly, and granting additional powers to certain cities.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed the following bills, in which the concurrence of the House was asked:

Senate file No. 118, a bill for an act amending section 4440 of the Code of Iowa, in reference to instructions to juries.

Senate file No. 54, a bill for an act to amend section 1, chapter 162 of the acts of the Eighteenth General Assembly, in relation to conveyances by foreign executors and trustees.

Senate file No. 83, a bill for an act to define and punish the crime of desertion.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House requests the return of the following bill in which the concurrence of the Senate was asked:

Senate file No. 385, a bill for an act to legalize the ordinances of the incorporated town of Valley Junction, Iowa.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution in which the concurrence of the House was asked:

Relative to inviting Julia Ward Howe to visit the capitol during the present week.

I. K. WILSON,
Chief Clerk.

Senator Penrose moved that House messages be taken up.
Carried.

HOUSE MESSAGES.

Senator Mattoon moved that the request of the House for the return of Senate file No. 385, a bill for an act to legalize the ordinances of the incorporated town of Valley Junction, be complied with.

Carried.

Senate file No. 300, a bill for an act granting additional powers to cities of the second class and incorporated towns, relating to the construction of sewers or tile drains, was taken up, considered, and the report of the committee read.

Senator Lewis moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

Senator Eaton in the chair.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Cheshire, Conaway, Craig, Dent, Everall, Funk, Garst, Harmon, Harsh, Henderson, Hurst, Jamison, Jewett, Kelly, Lehfelddt, Lewis, Mattoon, Palmer, Reynolds, Rikken, Rowen, Terry, Turner, Upton, Waterman, Yeomans—27.

The nays were:

Senators Baldwin, Bishop, Downey, Eaton, Gorrell, Groneweg, Kilburn, Oleson, Perrin, Perry—10.

Absent or not voting:

Senators Boardman, Brower, Carpenter, Chantry, Ellis, Finn, Green, Harper, Hipwell, Penrose, Phelps, Rea, Vale—13.

So the bill passed.

Senator Lewis offered the following amendment to the title:

A BILL for an act relating to the construction of sewers or tile drains in cities of the second class and incorporated towns.

Adopted.

The title was agreed to.

Senate file No. 6, a bill for an act to provide for the better security of depositors in state and savings banks organized under the laws of Iowa, with report of committee recommending amendments and when so amended that same do pass, was taken up, considered, and the report of the committee adopted.

Senator Rikken moved that the rule be suspended, and the bill be considered engrossed and read a third time now which motion prevailed, and the bill was read a third time.

Senator Finn, President *pro tem* in the chair.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews Baldwin Bishop Carpenter Cheshire Conaway Craig Dent Downey Everall Finn Gorrell Green Groneweg Harmon Harsh Henderson Hurst Jamison Jewett Kelly Kilburn Lehfeldt Lewis Mattoon Oleson Palmer Penrose Perrin Rea Reynolds Rikken Rowen Terry Turner Upton Vale Waterman—38.

The nays were:

None.

Absent or not voting:

Senators Boardman Brower Chantry Eaton Ellis Funk Garst Harper Hipwell Perry Phelps Yeomans—12.

So the bill passed and the title was agreed to.

Substitute for House file No. 47, a bill for an act to amend section 4, of chapter 94, of the acts of the Nineteenth General Assembly, with report of committee without recommendation, was taken up, considered, and the report of the committee was read.

Senator Waterman offered the following amendment:

Amend by striking out, beginning with the word "and," in the fourth line, and ending with the word "person," in the fifth line.

Senator Carpenter moved the previous question.

Lost.

The question being upon the amendment offered by Senator Waterman.

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Cheshire Conaway Craig Downey Ellis Jamison Jewett Kilburn Lewis Palmer Penrose Rikken Waterman—13.

The nays were:

Senators Andrews Baldwin Bishop Carpenter Funk Gorrell Green Groneweg Harmon Harsh Henderson Kelly Perry Rea Turner Upton Vale—17.

Absent or not voting:

Senators Boardman Brower Chantry Dent Eaton Everall Finn Garst Harper Hipwell Hurst Lehfeldt Mattoon Oleson Perrin Phelps Reynolds Rowen Terry Yeomans—20.

So the amendment was lost.

Senator Andrews offered the following amendment:

Amend by striking out the words, "railroad fare and," from line 6 of the printed bill.

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Andrews Chantry Cheshire Conaway Craig Downey Finn Gorrell Green Jamison Jewett Kilburn Lewis Palmer Penrose Perrin Turner Vale Waterman—19.

The nays were:

Senators Carpenter Funk Groneweg Harmon Harsh Henderson Rea Upton—8.

Absent or not voting:

Senators Baldwin Bishop Boardman Brower Dent Eaton Ellis Everall Garst Harper Hipwell Hurst Kelly Lehfeldt Mattoon Oleson Perry Phelps Reynolds Rigger Rowen Terry Yeomans—23.

So the amendment was adopted.

Senator Harmon moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews Baldwin Boardman Carpenter Chantry Cheshire Conaway Craig Dent Ellis Funk Gorrell Harmon Jamison Mattoon Palmer Perrin Phelps Rea Reynolds Rigger Rowen Upton Vale—24.

The nays were:

Senators Bishop Downey Finn Green Groneweg Harsh Henderson Jewett Kelly Kilburn Oleson Penrose Perry Turner—14.

Absent or not voting:

Senators Brower Eaton Everall Garst Harper Hipwell Hurst Lehfeldt Lewis Terry Waterman Yeomans—12.

So the bill having failed to receive a constitutional majority, was declared lost.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House file No. 474, a bill for an act to amend section 1, chapter 85, acts of the Twenty-second General Assembly.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has insisted upon its amendment to the following bill in which the concurrence of the Senate was asked:

Senate file No. 362, a bill for an act to provide for an appropriation for conducting the office of the State Dairy Commissioner and for paying the expenses thereof.

The following named gentlemen have been appointed as a conference committee on the part of the House: Messrs. Mitchell, St. John, Homrighaus and Hoover.

I. K. WILSON,
Chief Clerk.

Senator Andrews moved that Senate file No. 405 be recalled from the Sifting Committee.

Carried.

Senator Andrews moved that the Senate concur in House amendments to Senate file No. 405, a bill for an act to amend section 2, of chapter 70, of the acts of the Twenty-fourth General Assembly.

President Dungan in the chair.

Senator Lewis moved that House messages be taken up.

Carried.

HOUSE MESSAGES.

House file No. 474, a bill for an act to amend section 1, chapter 85, acts of the Twenty-second General Assembly, was read first and second times and referred to Sifting Committee.

Senator Lewis moved that the Senate appoint a Conference Committee on part of the Senate in reference to Senate file No. 362.

Carried.

INTRODUCTION OF BILLS.

By Senator Jamison, Senate file No. 421, a bill for an act to provide for holding terms of district court at Correctionville, in the county of Woodbury, in the Fourth judicial district of the State of Iowa, defining the territorial jurisdiction of said court, restricting that of the corresponding court to be held at Sioux City, in said county of Woodbury.

Read first and second times and referred to Sifting Committee.

The President announced he had signed the following bills in the presence of the Senate April '4th:

Senate files Nos. 133, 122, 407, 194, 406, 139, 414, and Joint Resolution No. 15.

The President appointed as Conference Committee on part of the Senate on Senate file No. 362, Senators Lewis, Boardman, Harsh and Yeomans.

Journal of yesterday was read, corrected and approved.

Senator Kelly moved the Senate do now adjourn until 2:50 o'clock this afternoon.

Carried.

The Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2:50 o'clock p. m., President Dungan presiding.

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

Senator Andrews moved that the Senate accompany the sergeant-at-arms into the House to meet in joint convention.

Carried.

The Senate adjourned to meet with the House in joint convention.

JOINT CONVENTION.

Called to order by Lieutenant-Governor Dungan, who stated that the purpose of the joint convention was the reception of Gen. Geo. W. Jones, of Dubuque.

The sergeant-at-arms here announced the arrival of the committee with the distinguished guest, who was escorted by Governor Jackson to the Speaker's chair.

Prayer by Rev. J. J. Wilkins.

Music, "My Country, 'Tis of Thee," by the Des Moines male quartette. P. H. Metcalf, first tenor; C. W. McMeeken, second tenor; C. M. Keeler, baritone; E. W. Peck, bass.

Addresses of welcome, by President Dungan and Speaker Stone.

Song, "Praise of the Soldier," Male Quartette.

President Dungan then introduced the Hon. Geo. W. Jones, who addressed the Assembly.

Address—Hon. J. K. Graves.

Address—Hon. Geo. G. Wright.

Mr. Linderman offered the following:

Resolved by the General Assembly of Iowa, in Joint Convention Assembled, That upon this memorable occasion in the history of our State, our thoughts turn towards its senior living Governor, Samuel J. Kirkwood, who long since voluntarily retired to private life, after a quarter of a century of most illustrious public service.

We but express the unanimous sentiment of the people of Iowa in tendering to him our appreciation of his true patriotism, his stern integrity, and his sterling qualities of head and heart which have characterized all his official acts as legislator, Governor, United States Senator and member of the cabinet.

We regret that age and infirmities prohibit his participation in the memorial exercises of this day, but trust his honored life may long be spared to the State and its citizens he has served so well.

The resolution was unanimously adopted by a rising vote.

Address—Hon. W. M. McFarland.

Address—Hon. Governor Frank D. Jackson.

Roll call of Senate and House of 1848 by Secretary of the Senate.

Address—Gen. A. K. Eaton.

Address—Hon. D. F. Miller.

Song—Breezes of the Night, male quartette.

On motion of Senator Brower Joint Convention dissolved.

Senate reconvened at 5:20 o'clock P. M.

Senator Finn moved that the Senate do now adjourn until 8 o'clock P. M.

Lost.

Senator Kelly moved that the Senate do now adjourn.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, April 5, 1894. }

Senate met pursuant to adjournment at 9:00 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. G. E. Morphy, of Grundy Center, Iowa.

PETITIONS AND MEMORIALS.

Senator Henderson presented a petition from 106 citizens of Humboldt county in reference to minimum charges on freight shipments.

Referred to Committee on Railroads.

Senator Rowen presented a petition from citizens of Webster county on same subject.

Same reference.

Senator Kelly presented petitions from citizens of various places asking repeal of hunters' trespass bill.

Referred to Sifting Committee.

INTRODUCTION OF BILLS.

By Senator Rigger, Senate file No. 422, a bill for an act to legalize the ordinances passed and election held to bond the town of Brooklyn, Poweshiek county, Iowa, for the purpose of erecting waterworks.

Read first and second times.

Senator Rigger moved that the rules be suspended, the bill considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Everall, Funk, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfeltdt, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman—43.

The nays were:

None.

Absent or not voting:

Senators Boardman, Brower, Finn, Garst, Hipwell, Mattoon, Yeomans—7.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

The Joint Committee on Enrolled Bills submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined the following bills and sent the same to the Governor for his approval:

Joint Resolution No. 15, relative to the assignment of rooms in the Capitol building.

Senate file No. 133, an act authorizing the appointment of a commission to ascertain and mark the position occupied by Iowa troops on Lookout Mountain and Mission Ridge (the battles of Chattanooga).

Substitute for Senate file No. 122, an act providing for the better security of State banks.

Senate file No. 407, an act making an appropriation for the erection of a dormitory for widows and mothers of soldiers and sailors, and army nurses at the Iowa Soldiers' Home at Marshalltown, Iowa.

Senate file No. 414, an act to legalize the annexation of territory in certain cities.

Senate file No. 194, an act to amend section 461 of the Code of Iowa, in reference to the establishment and maintenance of free public libraries.

Senate file No. 406, an act to legalize certain acts of the incorporated town of West Union, of the city of West Union, the change of grade of same, from an incorporated town to a city of the second class, the organization of same as such city and the election of its officers.

Senate file No. 139, an act to amend chapter 193, of the acts of the Twentieth General Assembly of the State of Iowa, and make further provisions in reference to the investment fund of the Iowa State Agricultural College and farm.

Senator Harsh moved that the Senate take a recess of five minutes.
Carried.

[The recess was taken for the purpose of allowing the assistant doorkeepers an opportunity of expressing their esteem for chief doorkeeper, Capt. G. W. Hicks. The assistant doorkeepers appeared at the bar of the Senate, and through Assistant Doorkeeper Moore, presented Captain Hicks a gold headed cane. Fitting remarks accompanied the presentation, and Captain Hicks thanked the donors in a few, well-chosen words.]

The Senate reconvened.

Senator Finn arose to a question of personal privilege and sent the following communication to the desk and asked that it be printed in the journal:

MR. PRESIDENT—As a matter of personal privilege I desire the journal to correct the misstatements found in the *Des Moines Register* regarding myself. I did not abuse the paper for printing what was absolutely false

regarding my words on the floor of the Senate. I said that in view of the fact that the editor had told me two years since that the paper had been offered \$75,000 to successfully advocate the repeal of prohibition, I was afraid from its course now towards those who opposed the repeal that the people of this State would conclude the bribe had been accepted. The misstatement regarding my language the paper does not correct after an explanation and request, yet every Senator present when the bill to allow the manufacture of intoxicants was discussed knows it to be absolutely false. The paper charged that I said I would go to Missouri if the bill passed, while my language was that if I thought, as some seemed to, that it was the one thing for a state or city I would go to Peoria, the city of distilleries. This was said while I was opposing the bill, and I made no threat of leaving the State, directly or indirectly.

G. L. FINN.

The question being upon the motion of Senator Andrews to concur in the House amendment to substitute to Senate file No. 405.

Upon this the yeas and nays were demanded.

On the question, "Shall the Senate concur in the House amendment to substitute to Senate file No. 405?" the yeas were:

Senators Andrews, Carpenter, Cheshire, Craig, Dent, Eaton, Finn, Gorrell, Groneweg, Henderson Jamison, Kelly, Kilburn, Mattoon, Penrose, Perrin, Rea—17.

The nays were:

Senators Baldwin, Bishop, Boardman, Brower, Chantry, Conaway, Downey, Ellis, Everall, Funk, Garst, Green, Harmon, Harper, Harsh, Jewett, Lehfelddt, Lewis, Oleson, Palmer, Perry, Phelps, Reynolds, Rikken, Terry, Turner, Upton, Vale, Waterman—29.

Absent or not voting:

Senators Hipwell, Hurst, Rowen, Yeomans—4.

So the Senate refused to concur in the House amendment.

Senator Gorrell offered the following explanation of his vote:

MR. PRESIDENT—There will be in every molecule of the soldiers' monument a picture of all that transpired between 1861 and 1865—a kaleidoscope view of sacred scenes. In it may be seen the firing on Fort Sumpter, the call for troops, the patriotic speeches that were made over this State, the rapid enlistment, the parting of loved ones at home, the last "God bless you" to an only son, the sadder farewell of affianced lovers, the hurrying to the front, the picket line, the life blood of noble boys ebbing away, their pale faces turned to God, with no loving hands to soften the pangs of the grim monster, the battle lines as they stretch away in either direction, the roll of musketry and the thunder of artillery, the groans of the mangled and dying, with the shout of victory in the final charge, the hospital with its appalling significance, its long wards filled with pale faces and emaciated forms pleading for a letter from home and loved ones, their places vacated one by one, not gone to their regiment nor to dear ones at home, but welcomed by angel hands to a home in heaven, the newly made mounds in the rear of the hospital, at the head an unplanned board on which is written with coal or chalk, "unknown," *Our heroic dead!* On it in relief may be seen, armless sleeves, wooden legs and

physical wrecks—*our living heroes!* May the shaft that commemorates their valor, that will immortalize memories, be located in a proper place for contemplation. The æsthetic feeling of cultured Iowa will not approve its location where the bustle of business or thoughtless pleasure subordinates the higher emotions of the soul. Let it be in some quiet grove, where in silence and with uncovered head memory may sweep the horizon; where hallowed memories will ever be the rule, not the exception. I vote yea."

J. R. GORRELL.

REPORTS OF STANDING COMMITTEES.

Senator Waterman, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House file No. 208, a bill for an act to amend section 1, chapter 3, acts of the Seventeenth General Assembly, relative to the consolidation of municipal corporations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

H. L. WATERMAN,
Chairman.

Referred to Sifting Committee.

Senator Finn, from the Committee on Educational Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred Senate file No. 388, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to Sifting Committee.

G. L. FINN,
Chairman.

So referred.

Also:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred Senate file No. 377, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to Sifting Committee.

G. L. FINN,
Chairman.

So referred.

Also:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred House file No. 201, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to Sifting Committee.

G. L. FINN,
Chairman.

So referred.

Senator Andrews, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate

file No. 112, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

H. F. ANDREW
Chairman,

Ordered passed on file.

Senator Lewis moved that House file No. 652 be recalled from the Sifting Committee.

Carried.

Senator Lewis moved that House file No. 652 be taken up for consideration now.

Carried.

House file No. 652, a bill for an act making an appropriation for the purchase of a site for an additional hospital for the insane of the State and the commencement of the construction of the same, was taken up and considered.

Senator Finn, president *pro tempore*, in the chair.

Senator Lewis offered the following amendment:

Strike out section 3, which provides for an annual appropriation of \$50,000 for the years 1896, 1897, 1898 and 1899, and insert in lieu thereof the following, to-wit:

SEC. 3. There is hereby further appropriated out of any money in the State treasury not otherwise appropriated for the payment on land, for the procuring of plans and specifications for such hospital and the necessary expenses of the Commission the sum of twenty-five thousand dollars payable on or after October 15, 1895, on the order of the trustees of such institution.

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Baldwin, Carpenter, Chantry, Craig, Eaton, Everall, Garst, Gorrell, Green, Henderson, Jewett, Kelly, Kilburn, Lewis, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Vale, Waterman—22.

The nays were:

Senators Andrews, Bishop, Brower, Cheshire, Conaway, Dent, Downey, Ellis, Funk, Groneweg, Harmon, Harper, Harsh, Hipwell, Hurst, Jamison, Lehfelddt, Mattoon, Oleson, Palmer, Rowen, Terry, Upton, Yeomans—24.

Absent or not voting:

Senators Boardman, Finn, Rigger, Turner—4.

So the amendment was lost.

Senator Carpenter moved the previous question.

Carried.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Bishop, Boardman, Brower, Carpenter, Che-

shire, Conaway, Dent, Eaton, Ellis, Everall, Finn, Funk, Garst, Harmon, Harper, Harsh, Hipwell, Hurst, Jamison, Lehfelddt, Mattoon, Oleson, Palmer, Perrin, Rigger, Terry, Turner, Upton, Vale, Waterman—31.

The nays were:

Senators Gorrell, Green, Groneweg, Henderson, Kelly, Kilburn, Lewis, Penrose, Perry, Phelps, Rea, Reynolds—12.

Absent or not voting:

Senators Baldwin, Chantry, Craig, Downey, Jewett, Rowen, Yeomans—7.

So the bill passed and the title was agreed to.

Senator Rea offered the following explanation of his vote:

MR. PRESIDENT—I believe that it is unwise to anticipate the appropriations which properly belong to the action of future General Assemblies, and that it would establish an unwise and dangerous precedent. Although I am in favor of making such an appropriation as would pay for the site, and am especially friendly to an asylum in northwestern Iowa. For the reasons I have stated, however, I am compelled to vote against the bill. I therefore vote "No."

J. M. REA.

Senator Lewis offered the following explanation of his vote:

MR. PRESIDENT—This bill appropriates \$212,000, of which sum \$200,000 is payable during the biennial periods, over whose appropriations the Twenty-sixth and Twenty-seventh General Assemblies should have charge. I feel that it establishes a dangerous precedent. I vote "no."

L. W. LEWIS.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 654, a bill for an act to legalize the incorporation of the town of Ridgeway, Winneshiek county, Iowa, the election of its officers and all official acts done by the council of said town.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the House was asked:

Senate file No. 178, a bill for an act to limit the compensation of county recorders and to require the payment of all excess of fees into the county treasury and to require quarterly reports to, and annual settlements with, the county board of supervisors.

Senate file No. 148, a bill for an act authorizing railway corporations to mortgage their property for certain purposes.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

Senate file No. 422, a bill for an act to legalize the ordinances passed and election held to bond the town of Brooklyn, Poweshiek county, Iowa, for the purpose of erecting water works.

Senate file No. 189, a bill for an act to amend sections 2 and 3, chapter 34, acts of the Twenty-third General Assembly, relative to the catching of fish.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 239, a bill for an act providing for breaking and loading stone by convict labor at Anamosa Penitentiary and the State quarry, to be used in improving highways and streets by macadamizing.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate file No. 368, a bill for an act to increase the number of judges of the supreme court and providing for a division of said court.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate file No. 362, a bill for an act to provide for an appropriation for conducting the office of State Dairy Commissioner and for paying the expenses thereof.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 550, a bill for an act for the relief of John A. Johnson and Jonas R. Johnson, and authorizing the payment of their claim against the State of Iowa.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the House was asked:

Senate file No. 370, a bill for an act to cover money into the State treasury for the fish commission fund.

Senate file No. 371, a bill for an act to authorize railway corporations now existing or hereafter created, including consolidated corporations to provide by by-

laws or otherwise for conferring on bond holders the right to vote at corporate elections.

I. W. WILSON,

Chief Clerk.

Senator Conaway moved that House file No. 635 be recalled from Sifting Committee and considered now.

Carried.

House file No. 635, a bill for an act to legalize the official acts of Thomas White, a notary public of Mahaska county, Iowa, was taken up and considered.

Senator Conaway moved that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Ellis, Everall, Finn, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Rea, Reynolds, Rigger, Turner, Upton, Vale, Waterman—38.

The nays were:

None.

Absent or not voting:

Senators Brower, Eaton, Funk, Garst, Hipwell, Hurst, Jamison, Mattoon, Phelps, Rowen, Terry, Yeomans—12.

So the bill passed and the title was agreed to.

Senator Henderson moved that House file No. 625 be recalled from the Sifting Committee and considered now.

Carried.

House file No. 625, a bill for an act to legalize the ordinances of Bode, Humboldt county, Iowa, was taken up and considered.

Senator Henderson moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Downey, Ellis, Everall, Finn, Funk, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Jamison, Jewett, Kelly, Kilburn, Lewis, Oleson, Palmer, Penrose, Perrin, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman—40.

The nays were:

None.

Absent or not voting:

Senators Brower, Dent, Eaton, Garst, Hurst, Lehfelddt, Mattoon, Perry, Phelps, Yeomans—10.

So the bill passed and the title was agreed to.

Senator Lewis moved to take up House messages.

Carried.

HOUSE MESSAGES.

Senator Lewis moved the Senate concur in report of Conference Committee on Senate file No. 362.

On the question, "Shall the Senate concur in report of Conference Committee on Senate file No. 362?" the yeas were:

Senators Andrews, Baldwin, Boardman, Carpenter, Cheshire, Conway, Craig, Dent, Downey, Ellis, Finn, Funk, Gorrell, Green, Harmon, Harper, Harsh, Henderson, Hurst, Jamison, Jewett, Lehfelddt, Lewis, Oleson, Palmer, Penrose, Perrin, Rea, Reynolds, Rigger, Turner, Upton, Vale, Waterman—34.

The nays were:

Senators Groneweg, Kelly, Mattoon, Perry, Terry—5.

Absent or not voting:

Senators Bishop, Brower, Chantry, Eaton, Everall, Garst, Hipwell, Kilburn, Phelps, Rowen, Yeomans—11.

So the Senate concurred in the report of the Conference Committee.

House file No. 654, a bill for an act to legalize the incorporation of the town of Ridgeway, Winneshiek county, Iowa, the election of its officers, and all the official acts done by the council of said town, was read first and second times.

Senator Upton moved to take up House file No. 654 now.

Carried.

Senator Upton moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Carpenter, Chantry, Cheshire, Craig, Dent, Downey, Everall, Finn, Funk, Gorrell, Green, Harmon, Harper, Henderson, Hipwell, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Rigger, Terry, Turner, Upton, Vale, Waterman—37.

The nays were:

None.

Absent or not voting:

Senators Boardman, Brower, Conway, Eaton, Ellis, Garst, Groneweg, Harsh, Hurst, Mattoon, Reynolds, Rowen, Yeomans—13.

So the bill passed and the title was agreed to.

House file No. 550, a bill for an act for the relief of John A. Johnson and Jonas R. Johnson and authorizing the payment of their claim against the State, was read first and second times.

Senator Oleson moved that House file No. 550 be taken up for consideration now.

Senator Andrews moved that the correction of the journal be deferred until the afternoon session.

Carried.

Senator Jamison moved that the Senate do now adjourn.

Carried.

The Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2:00 o'clock P. M., and was called to order by President Dungan.

The question being upon Senator Oleson's motion to consider House file No. 550.

Senator Carpenter moved to refer House file No. 550 to the Sifting Committee.

Carried.

On motion of Senator Chantry, Senate file No. 98, a bill for an act for the relief of James T. Ward was taken up and considered.

Senator Chantry moved that the rule be suspended, and the bill be considered engrossed and read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Evrall, Finn, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelley, Lewis, Mattoon, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Rigger, Terry, Turner, Vale, Waterman, Yeomans—42.

The nays were:

None.

Absent or not voting:

Senators Eaton, Ellis, Kilburn, Lehfeldt, Oleson, Reynolds, Rowen, Upton—8.

So the bill passed and the title was agreed to.

Senator Harper introduced the following resolution:

DES MOINES, Iowa.

Resolved, That to the retiring Lieutenant-Governor, Warren S. Dungan this body most sincerely and heartily extends its thanks for his able and

satisfactory administration of the burdensome duties of his high office. That his kind and uniform courtesy to Senators personally, wins him our most grateful remembrance, and as he goes deeper into the shades of his useful life, he will carry with him our sincerest and tenderest recollection, and cordial interest in his future good fortune, health and happiness.

Resolved, That as a further mark of respect to Lieutenant-Governor Dungan, the Senate hereby presents to him the chair he has ably filled, and the gavel used by him during his term of office of President of the Senate.

Resolution adopted by rising vote.

Senator Harmon, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 239, a bill for an act to amend section 2961 of the Code of Iowa, and

Joint Resolution No. 2, proposing to amend section 9, article one, of the Constitution of the State of Iowa, and to provide for its reference and publication, and

Senate file No. 173, a bill for an act to amend section 2648 of the Code of Iowa, and

Senate file No. 278, a bill for an act requiring husbands and fathers to support their families, and

Senate File No. 255, a bill for an act to repeal sections 6 and 11, of chapter 43, laws of the Twenty-third General Assembly of Iowa, and to enact the following in lieu thereof, and

Senate file No. 92, a bill for an act to amend section 9173, of the Code of 1873 relative to the limitation on the right to appeal civil cases to the supreme court, and

Senate file No. 65, a bill for an act to repeal sections 181, 183 and 3777 of the Code and to substitute therefor the following, and

Senate file No. 60, a bill for an act to repeal sections 181, 183 and 3777 of the Code and to substitute therefor the following, and

Senate file No. 236, a bill for an act to apply to the provisions of chapter 58, laws of the Seventh General Assembly and amendments thereto existing, relating to the bonded indebtedness of Counties, Cities and Towns and,

Senate file No. 192, a bill for an act to indemnify Sheriffs in the service of Landlords Writ of attachment, and

Senate file No. 161, a bill for an act to establish legal time in the State of Iowa, and

Senate file No. 334, a bill for an act to amend chapter 58, laws of the Twenty-second General Assembly, and

Senate file No. 299, a bill for an act to amend section 1, chapter 85, acts of the Twenty-second General Assembly, and

Senate file No. 238, a bill for an act to amend section 2976, title 13, chapter one of the Code of 1873 in respect to garnishment, and

Senate file No. 302, a bill for an act to repeal sections 227 and 238, of the Code of 1873, and to enact substitutes therefor, relating to the qualification of jurors and the matter of preparing lists thereof, and

Senate file No. 80, a bill for an act to amend section 3723, of the Code of 1873, in relation to taking depositions, and

Senate file No. 220, a bill for an act to amend section 1, chapter 157 of the acts of the Twenty-first General Assembly, and

Senate file No. 387, a bill for an act to legalize the incorporation of the town of Macksburg, Madison county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town, and

Senate file No 380, a bill for an act to amend section 3, of chapter 100, of the acts of the Sixteenth General Assembly, and to more particularly define persons who are entitled to mechanics liens for labor upon improvements upon property, and

Senate file No. 168 a, bill for an act entitled, an act to confer upon women the privilege of voting at school elections, and

Senate file No. 403, a bill for an act to enable parties to avoid delay in the administration of justice, beg leave to report that they have had the same under consideration, and have instructed me to report these bills back to the Senate without recommendation.

M. W. HARMON,
Chairman.

Ordered passed on file.

Senator Lewis moved to recall House file No. 372 from the Sifting Committee.

Carried.

Senator Lewis moved to take up House file No. 372, a bill for an act providing for the continuance of the Iowa Geological Survey, for consideration now.

Carried.

Senator Lewis offered the following amendment:

Strike out the figure and words "5 thousand dollars annually," and insert in lieu thereof the words and figures "two thousand five hundred dollars (\$2,500) annually," in line three, section one of the original bill.

Upon this the yeas and nays were demanded.

On the question, "Shall the amendment be adopted?" the yeas were:

Senators Baldwin, Carpenter, Chantry, Cheshire, Conaway, Craig, Eaton, Everall, Funk, Garst, Gorrell, Harmon, Harper, Henderson, Jewett, Lewis, Palmer, Perrin, Phelps, Rea, Waterman—21.

The nays were:

Senators Andrews, Bishop, Dent, Downey, Ellis, Finn, Green, Groneweg, Harsh, Hipwell, Hurst, Jamison, Kelly, Mattoon, Oleson, Rikken, Terry, Turner, Upton, Vale, Yeomans—21.

Absent or not voting:

Senators Boardman, Brower, Kilburn, Lehfelddt, Penrose, Perry, Reynolds, Rowen—8.

So the amendment was lost.

Senator Chantry moved the previous question.

Lost.

The question being shall the bill be read a third time now.
Carried.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Craig, Dent, Ellis, Everall, Green, Groneweg, Harmon, Harper, Harsh, Hipwell, Hurst, Jamison, Kelly, Mattoon, Oleson, Perrin, Reynolds, Rigger, Rowen, Terry, Upton, Vale, Yeomans—26.

The nays were:

Senators Carpenter, Downey, Eaton, Finn, Garst, Gorrell, Henderson, Lewis, Phelps, Turner, Waterman—11.

Absent or not voting:

Senators Boardman, Brower, Chantry, Cheshire, Conaway, Funk, Jewett, Kilburn, Lehfelddt, Palmer, Penrose, Perry, Rea—13.

So the bill passed and the title was agreed to:

Senator Carpenter moved to take up Senate Joint Resolution No. 5, to amend the constitution of the State of Iowa, relative to the sale of intoxicating liquors as a beverage, for consideration.

Carried.

Senate Joint Resolution No. 5, as amended by House to amend the constitution of the state of Iowa relative to the manufacture and sale of intoxicating liquors as a beverage.

Be it Resolved by the General Assembly of the State of Iowa, That the following amendment to the constitution of the state of Iowa be, and the same is hereby proposed: To add, as section 26, to article 1, of said constitution, the following:

"SECTION 26 No person shall manufacture for sale, or sell or keep for sale as a beverage any intoxicating liquors whatever, including ale, wine and beer."

The General Assembly shall by law prescribe regulations for the enforcement of the prohibition herein contained, and shall thereby provide suitable penalties for the violation of the provisions hereof.

Resolved, further. That the foregoing proposed amendment be, and the same is hereby referred to the legislature to be chosen at the next general election for members of the next General Assembly, and that the secretary of state cause the same to be published for three months previous to the day of said election, as provided by law.

Senator Carpenter moved to concur in the House amendments.

Senator Carpenter moved the previous question.

Carried.

Senator Kilburn was granted leave of absence.

On the question, "Shall the Senate concur in the House amendment to Senate Joint Resolution No. 5?" the yeas were:

Senators Andrews, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Eaton, Ellis, Finn, Funk, Gorrell, Harmon, Harsh, Henderson, Jamison, Jewett, Lewis, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Rowen, Turner, Vale, Waterman—29.

The nays were:

Senators Baldwin, Bishop, Brower, Dent, Downey, Everall, Green, Groneweg, Harper, Hipwell, Kelly, Mattoon, Oleson, Perry, Terry, Upton—16.

Absent or not voting:

Senators Garst, Hurst, Kilburn, Lehfelddt, Yeomans—5.

So the amendment was concurred in.

The President announced he had signed the following bills in the presence of the Senate:

House files Nos. 595, 622, 302, 37, 557, 397, 632, 615, 4, 204, 172, 103, 388, 599, 174, 237; also Senate files Nos. 18, 87, 129, 8, 317, 411.

Senator Kilburn was granted leave of absence.

Senate file No. 224, a bill for an act to repeal section 6 of chapter 29, acts of the Twenty-fourth General Assembly, amending section 1132 of the Code of Iowa of 1873, relative to insurance, and to enact a substitute therefor in relation to accident or casualty insurance with report of committee recommending passage, was taken up, considered, and the report of the committee was read.

Senator Carpenter moved the previous question.

Carried.

The question being, "Shall the rule be suspended, and the bill be considered engrossed and read a third time now?"

Carried.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senator Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Downey, Everall, Finn, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Rea, Reynolds, Rigger, Terry, Turner, Upton—33.

The nays were:

None.

Absent or not voting:

Senators Chantry, Cheshire, Conaway, Craig, Dent, Eaton, Ellis, Funk, Garst, Kilburn, Lehfelddt, Lewis, Phelps, Rowen, Vale, Waterman, Yeomans—17.

So the bill passed and the title was agreed to.

Senator Rigger offered the following resolution:

Resolved, That the Senate paper folders be retained until Tuesday, April 9, 1894, and to receive the same pay per diem as they now receive.

Adopted.

Senate file No. 281, a bill for an act to amend section 1606 of the

Code of Iowa, by enlarging the powers of the board of trustees of the State Agricultural College and farm, was taken up and considered.

Senator Garst moved that the rule be suspended, and the bill be considered engrossed and read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Cheshire, Conaway, Craig, Downey, Ellis, Everall, Finn, Funk, Garst, Gorrell, Groneweg, Harmon, Harper, Harsh, Henderson, Jamison, Jewett, Kelly, Oleson, Palmer, Penrose, Perrin, Perry, Rea, Reynolds, Rowen, Terry, Turner, Upton, Waterman—36.

The nays were:

None.

Absent or not voting:

Senators Chantry, Dent, Eaton, Green, Hipwell, Hurst, Kilburn, Lehfelddt, Lewis, Mattoon, Phelps, Rigger, Vale, Yeomans—14.

So the bill passed and the title was agreed to.

House file No. 218, a bill for an act to amend section 1103 of the Code, authorizing boards of supervisors to appoint delegates to attend meetings of the Agricultural Society, was taken up and considered.

Senator Rea moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Boardman, Brower, Carpenter, Cheshire, Conaway, Craig, Downey, Ellis, Everall, Finn, Funk, Gorrell, Groneweg, Harper, Harsh, Jamison, Jewett, Lehfelddt, Oleson, Palmer, Penrose, Perrin, Perry, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman—34.

The nays were:

Senators Bishop, Kelly—2.

Absent or not voting:

Senators Chantry, Dent, Eaton, Garst, Green, Harmon, Henderson, Hipwell, Hurst, Kilburn, Lewis, Mattoon, Phelps, Yeomans—14.

So the bill passed and the title was agreed to.

House file No. 97, a bill for an act to amend section 3784 of the Code of 1873 was taken up and considered.

Senator Groneweg moved that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Cheshire, Conaway, Craig, Dent, Downey, Everall, Finn, Garst, Gorrell, Groneweg, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Oleson, Palmer, Penrose, Perrin,

Perry, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Upton, Vale, Waterman, Yeomans—41.

The nays were:

None.

Absent or not voting:

Senators Carpenter, Chantry, Eaton, Ellis, Funk, Green, Harmon, Mattoon, Phelps—9.

So the bill passed and the title was agreed to.

Senator Kelly asked leave to withdraw his motion to reconsider the vote by which the House concurrent resolution relative to final adjournment passed the Senate.

Leave granted and motion withdrawn.

House file No. 236, a bill for an act to amend section 13, chapter 35, of the acts of the Twenty-third General Assembly of the State of Iowa, relating to reports of registered pharmacists not holding permits, was taken up and considered.

Senator Rigger moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Cheshire, Conaway, Craig, Dent, Downey, Everall, Finn, Funk, Garst, Gorrell, Green, Groneweg, Harper, Harsh, Henderson, Hipwell, Hurst, Jewett, Kelly, Lehfeltdt, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Vale, Waterman—40.

The nays were:

Senator Kilburn—1.

Absent or not voting:

Senators Chantry, Eaton, Ellis, Harmon, Jamison, Lewis, Phelps, Upton, Yeomans—9.

So the bill passed and the title was agreed to.

President Dungan in the chair.

The sergeant-at-arms announced that the Governor, with the invited guest, Mrs. Julia Ward Howe, had appeared, and they were conducted to the President's desk by the Lieutenant-Governor, Speaker of the House and the Secretary of the Senate, and Mrs. Howe was introduced by Governor Jackson.

House file No. 324, a bill for an act to prevent oppressive garnishment and the transferring of claims for the purpose of depriving debtors of their exemption rights was taken up and considered.

Senator Carpenter moved that the bill be read a third time now which motion prevailed, and the bill was read a third time.

Senator Finn, president *pro tempore*, in the chair.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Brower, Carpenter, Cheshire, Conaway, Craig, Dent, Downey, Ellis, Everall, Funk, Gorrell, Harper, Harsh, Henderson, Hipwell, Jamison, Jewett, Kelly, Kilburn, Lehfeldt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Vale, Waterman—37.

The nays were:

Senators Finn, Groneweg—2.

Absent or not voting:

Senators Andrews, Chantry, Eaton, Garst, Green, Harmon, Hurst, Perry, Phelps, Upton, Yeomans—11.

So the bill passed and the title was agreed to.

Senator Groneweg offered the following explanation of his vote:

MR. PRESIDENT—Believing that this bill, House file No. 324, is more calculated to protect dishonest debtors than the honest laboring man, and further believing that if enacted into law it will bring no good results to the State, I therefore vote "no."

WM. GRONEWEG,
Senator Nineteenth District.

House file No. 45, a bill for an act conferring upon women the right to vote in certain cases, was taken up and considered.

Senator Carpenter moved that the bill be read a third time now.

Senator Carpenter moved the previous question.

Upon this the yeas and nays were demanded.

On the question, "Shall the main question be now put?" the yeas were:

Senators Andrews, Boardman, Carpenter, Chantry, Cheshire, Everall, Finn, Funk, Harper, Harsh, Henderson, Jamison, Kilburn, Lewis, Penrose, Perrin, Phelps, Reynolds, Rowen, Turner, Vale—21.

The nays were:

Senators Baldwin, Bishop, Brower, Downey, Eaton, Ellis, Garst, Gorrell, Green, Groneweg, Hipwell, Hurst, Kelly, Lehfeldt, Mattoon, Oleson, Perry, Rea, Terry, Waterman—20.

Absent or not voting:

Senators Conaway, Craig, Dent, Harmon, Jewett, Palmer, Rigger, Upton, Yeomans—9.

So the main question was ordered.

The question being, "Shall the bill be read a third time now?"

Carried and bill read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Boardman, Chantry, Cheshire, Conaway, Craig, Eaton, Finn, Funk, Garst, Gorrell, Harmon, Harsh, Henderson, Jamison, Jewett, Kilburn, Lehfeldt, Lewis, Penrose, Perrin, Phelps, Reynolds, Rigger, Rowen, Turner, Vale—27.

The nays were:

Senators Baldwin, Bishop, Brower, Carpenter, Dent, Downey, Ellis, Everall, Green, Groneweg, Harper, Hipwell, Hurst, Kelly, Mattoon, Oleson, Perry, Rea, Terry, Upton—20.

Absent or not voting:

Senators Palmer, Waterman, Yeomans—3.

So the bill passed and the title was agreed to.

Senator Rea offered the following explanation of his vote:

MR. PRESIDENT—Believing that this bill, if it becomes a law, is a violation of the constitution of the State, and fearing that it will unsettle the status of school and municipal bonds, and render their negotiation more difficult, I am compelled, without any discussion upon the question, to vote "no."

J. M. REA.

INTRODUCTION OF BILLS.

By Senator Harmon, Senate file No. 423, a bill for an act to amend an act of the Twenty-fifth General Assembly, entitled, an act creating the Nineteenth judicial district, and providing for the election of two district judges in the Tenth judicial district.

Senator Harmon moved that the rule be suspended, and the bill be considered engrossed and read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Cheshire, Conaway, Craig, Dent, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Gorrell, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kilburn, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Rea, Reynolds, Rigger, Rowen, Terry, Vale—39.

The nays were:

None.

Absent or not voting:

Senators Brower, Chantry, Green, Kelly, Lehfelddt, Mattoon, Phelps, Turner, Upton, Waterman, Yeomans—11.

So the bill passed and the title was agreed to.

Senator Jamison moved to reconsider the vote by which House file No. 15 passed the Senate.

Senator Kilburn moved to lay the motion on the table.

Carried.

Senator Perry moved to suspend the rules and recall House file No. 550 from the sifting committee.

Carried.

Senator Perry moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Senator Jamison in the chair.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Carpenter, Cheshire, Conway, Dent, Downey, Eaton, Ellis, Everall, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Reynolds, Rowen, Terry, Turner, Vale, Waterman—39.

The nays were:

Senators Andrews, Rea—2.

Absent or not voting:

Senators Brower, Chantry, Craig, Finn, Lewis, Phelps, Rikken, Upton, Yeomans—9.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate file No. 418, a bill for an act making appropriations for the payment of State and Judicial officers, State expenses and other bills, and amendatory of section 2, chapter 134, laws of the Tenth General Assembly.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has refused to concur in the following bill in which the concurrence of the House was asked:

Senate file No. 180, a bill for an act to amend chapter 151, acts of the Eighteenth General Assembly, relating to the State Board of Health.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 240, a bill for an act to amend section 277 of the Code of 1873, relative to the administering of oaths and the acknowledgment of instruments in writing by notaries public.

I. K. WILSON,
Chief Clerk.

Senator Reynolds presented a petition from citizens of Appanoose county asking passage of a bill regulating fees of weighmen.

Referred to Sifting Committee.

Senator Ellis moved that the rules be suspended and House file No. 208 be recalled from Sifting Committee and considered now.

Carried.

House file No. 208, a bill for an act to amend section 1, chapter 3, acts of the Seventeenth General Assembly, relative to corporations unite, was taken up and considered.

Senator Ellis offered the following amendment:

Amend by inserting after the word "section," in the first line of section 1, the following words: "432 of the Code of Iowa as amended by section."

Adopted.

Senator Perrin moved that when the Senate adjourn it adjourn to 8 o'clock P. M.

Upon this the yeas and nays were demanded.

Senator Finn, president *pro tempore*, in the chair.

On the question, "Shall the Senate, when it adjourns, adjourn to 8 P. M?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Craig, Everall, Funk, Garst, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Jewett, Kilburn, Lehfelddt, Lewis, Oleson, Palmer, Penrose, Perrin, Reynolds, Rigger, Turner, Upton, Vale, Waterman—29.

The nays were:

Senators Dent, Downey, Eaton, Gorrell, Hipwell, Hurst, Jamison, Kelly, Mattoon, Perry, Rea, Terry—12.

Absent or not voting:

Senators Brower, Chantry, Cheshire, Conaway, Ellis, Finn, Phelps, Rowen, Yeomans—9.

So the motion was carried.

Senator Kilburn sent to the clerk the following:

MR. PRESIDENT—I desire to have noted in the journal that had I been present when the vote was taken upon the proposition to amend the constitution, prohibiting the manufacturing and sale of intoxicating liquors, I should have voted yea upon the question of concurring in the House amendment.

L. M. KILBURN.

So ordered.

Senate file No. 138, a bill for an act to reimburse John L. Brown, as Auditor of State during the years 1885 and 1886, for money expended in defense of his said office and of his official rights and duties, was taken up and considered.

The question being shall the bill be read a third time now.

Carried.

And the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Boardman, Chantry, Cheshire, Craig, Eaton, Finn, Garst, Gorrell, Harper, Harsh, Henderson, Hurst, Jamison, Kilburn, Lehfelddt, Mattoon, Palmer, Penrose, Perrin, Reynolds, Turner, Upton, Vale, Waterman—26.

The nays were:

Senators Carpenter, Dent, Downey, Everall, Funk, Green, Groneweg, Harmon, Kelly, Perry, Rea—11.

Absent or not voting:

Senators Bishop, Brower, Conaway, Ellis, Hipwell, Jewett, Lewis, Oleson, Phelps, Rigger, Rowen, Terry, Yeomans—13.

Senator Waterman moved that Senator Lewis be excused from voting on Senate file No. 138.

Carried.

So the bill having failed to receive the necessary two-thirds majority was declared lost.

House file No. 208 was taken up.

The question being upon the adoption of the amendment offered by Senator Ellis.

Adopted.

Senator Ellis moved the bill be read a third time now.

Carried.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Cheshire, Conaway, Craig, Dent, Downey, Ellis, Everall, Funk, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Hipwell, Hurst, Jamison, Kelly Kilburn, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Rea, Reynolds, Rigger, Terry, Turner, Upton, Vale, Waterman—37.

The nays were:

Senators Boardman, Garst, Henderson—3.

Absent or not voting:

Senators Brower, Carpenter, Chantry, Eaton, Finn, Jewett, Lehfeldt, Phelps, Rowen, Yeomans—10.

So the bill passed and the title was agreed to.

Senator Kilburn moved to recall House file No. 203 from Sifting Committee for present consideration.

Carried.

Senator Waterman moved that the Senate do now adjourn.

Lost.

On motion of Senator Kilburn, House file No. 203, a bill for an act to require the clerk of the district court to report to the county auditor all changes of title made by decree of court or by will, was taken up and considered.

Report of committee was read:

Senator Kilburn moved that the amendments recommended by the committee be concurred in.

Carried.

Senator Kilburn moved that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Cheshire, Downey, Ellis, Everall, Finn, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Oieson, Palmer, Penrose, Perrin, Perry, Rea, Reynolds, Rigger, Terry, Turner, Vale, Waterman—37.

The nays were:

None.

Absent or not voting:

Senators Brower, Chantry, Conaway, Craig, Dent, Eaton, Hipwell, Hurst, Mattoon, Phelps, Rowen, Upton, Yeomans—13.

So the bill passed and the title was agreed to.

Senator Lewis moved to take up House messages.

Carried.

HOUSE MESSAGES.

Senator Lewis moved the Senate concur in House amendments to Senate file No. 418, a bill for an act making appropriations for the payment of State and judicial officers, State expenses and other bills, and amendatory to section 2, chapter 134, laws of the Tenth General Assembly.

On the question, "Shall the Senate concur in House amendments to Senate file No. 418?" the yeas were:

Senators Andrews, Boardman, Carpenter, Conaway, Ellis, Everall, Finn, Funk, Garst, Green, Groneweg, Harmon, Henderson, Jamison, Jewett, Kelly, Lehfelddt, Lewis, Oleson, Palmer, Penrose, Perrin, Reynolds, Rigger, Turner, Vale—26.

The nays were:

None.

Absent or not voting:

Senators Baldwin, Bishop, Brower, Chantry, Cheshire, Craig, Dent, Downey, Eaton, Gorrell, Harper, Harsh, Hipwell, Hurst, Kilburn, Mattoon, Perry, Phelps, Rea, Rowen, Terry, Upton, Waterman, Yeomans—24.

So the bill passed and the title was agreed to.

Senator Garst moved that the Senate do now adjourn.

Carried.

The Senate adjourned.

EVENING SESSION.

Senate met pursuant to adjournment at 8 o'clock P. M., President Dungan presiding.

Senator Perrin moved that Senate file No. 303 be recalled from the Sifting Committee for consideration now.

Carried.

Senate file No. 303, a bill for an act to repeal chapter 18, of the acts of the Twenty-fourth General Assembly, relating to taxes in aid of railways, and to enact a substitute therefor, was taken up and considered.

The report of the committee was read.

Senator Perrin moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Craig, Eaton, Everall, Finn, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Jamison, Kelly, Kilburn, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Terry, Turner, Vale, Waterman—37.

The nays were:

None.

Absent or not voting:

Senators Brower, Conaway, Dent, Downey, Ellis, Henderson, Hipwell, Hurst, Jewett, Lehfeltdt, Rowen, Upton, Yeomans—13.

So the bill passed and the title was agreed to.

Senator Penrose moved to recall Senate file No. 379 from the Sifting Committee, and that it be considered now.

Upon this the yeas and nays were demanded.

On the question, "Shall the motion prevail?" the yeas were:

Senators Andrews, Cheshire, Eaton, Garst, Green, Groneweg, Harper, Harsh, Kelly, Lewis, Mattoon, Penrose, Perrin, Perry, Phelps, Rea, Rigger, Turner, Waterman—19.

The nays were:

Senators Baldwin, Carpenter, Chantry, Conaway, Gorrell, Harmon, Jamison, Palmer, Reynolds, Rowen, Vale—11.

Absent or not voting:

Senators Bishop, Boardman, Brower, Craig, Dent, Downey, Ellis, Everall, Finn, Funk, Henderson, Hipwell, Hurst, Jewett, Kilburn, Lehfelddt, Oleson, Terry, Upton, Yeomans—20.

So the motion was lost.

Senate file No. 290, a bill for an act to pay the expenses of J. W. Cliff in his contest for the office of Secretary of the Senate of the Twenty-fourth General Assembly, with report of committee recommending passage, was taken up, considered, and the report of the committee was read.

Senator Jamison moved that the rules be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Downey, Eaton, Finn, Funk, Garst, Gorrell, Harmon, Harper, Harsh, Henderson, Jamison, Jewett, Kilburn, Lehfelddt, Lewis, Mattoon, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Rowen, Turner, Vale, Waterman—34.

The nays were:

Senators Bishop, Everall, Green, Grönweg, Hipwell, Kelly, Oleson, Perry, Terry—9.

Absent or not voting:

Senators Baldwin, Brower, Dent, Ellis, Hurst, Upton, Yeomans—7.

So the bill having received the necessary two-thirds majority was declared passed and the title was agreed to.

Senator Finn, president *pro tempore*, in the chair.

Senate file No. 225, a bill for an act to provide for the designation of police stations for the detention of women and children, and to provide for police matrons in all cities of 25,000 inhabitants, with report of committee recommending amendments, and when so amended that same do pass, was taken up and report of committee read.

The question being upon the adoption of the amendments recommended by the committee.

Lost.

"The question being, "Shall the bill be read a third time now?"

Carried.

The bill read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Carpenter, Chantry, Cheshire, Conaway, Craig, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Oleson, Palmer, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Vale, Waterman—41.

The nays were:

None.

Absent or not voting:

Senators Boardman, Brower, Dent, Hipwell, Hurst, Mattoon, Penrose, Upton, Yeomans—8.

So the bill passed and the title was agreed to.

The Governor's private secretary appeared and presented a

MESSAGE FROM THE GOVERNOR.

STATE OF IOWA,
EXECUTIVE OFFICE,
DES MOINES, April 5, 1894. }

MR. PRESIDENT—I am instructed by the governor to deliver to your honorable body a communication in writing.

W. S. RICHARDS,
Private Secretary.

House file No. 212, a bill for an act relating to taxing of costs in criminal cases, was taken up and considered.

The question being shall the bill be read a third time now.

Carried.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Jamison, Jewett, Kelly, Kilburn, Lehfelddt, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Vale, Waterman—43.

The nays were:

None.

Absent or not voting:

Senators Brower, Dent, Hipwell, Hurst, Mattoon, Upton, Yeomans—7.

So the bill passed and the title was agreed to.

Substitute for House file No. 117, a bill for an act to repeal section 1, chapter 34, of the acts of the Fifteenth General Assembly, and to enact a substitute therefor, was taken up and considered.

Senator Kilburn moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Boardman, Carpenter, Chantry, Cheshire, Conaway, Eaton, Ellis, Garst, Gorrell, Groneweg, Harmon, Harper, Harsh, Henderson, Jamison, Jewett, Kilburn, Lehfeldt, Lewis, Palmer, Perrin, Phelps, Reynolds, Rikken, Rowen, Terry, Turner, Vale, Waterman—31.

The nays were:

Senators Bishop, Craig, Downey, Everall, Finn, Kelly, Oleson, Penrose—8.

Absent or not voting:

Senators Brower, Dent, Funk, Green, Hipwell, Hurst, Mattoon, Perry, Rea, Upton, Yeomans—11.

So the bill passed and the title was agreed to.

On motion of Senator Carpenter, House file No. 39, a bill for an act to provide for the improvement of county roads was taken up and considered.

The question being, "Shall the bill be read a third time?"

Carried.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Boardman, Carpenter, Cheshire, Chantry, Conaway, Craig, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Henderson, Jamison, Jewett, Kilburn, Lehfeldt, Oleson, Palmer, Penrose, Perrin, Phelps, Rea, Reynolds, Rikken, Terry, Turner, Vale—35.

The nays were:

Senators Harper, Harsh, Kilburn, Lewis, Mattoon, Waterman—6.

Absent or not voting:

Senators Bishop, Brower, Dent, Hipwell, Hurst, Kelly, Perry, Rowen, Upton, Yeomans—10.

So the bill passed and the title was agreed to.

Senator Carpenter, from the Sifting Committee, submitted the following report:

MR. PRESIDENT—Your Sifting Committee, to whom was referred all bills, etc., beg leave to report that they have had the same under consideration and have instructed me to report to the Senate House file No. 602, House file No. 254, calendar No. 151; House file No. 166, House file No. 474, Senate file No. 303, calendar No. 103; House file No. 418, substitute for House file No. 39, and the committee will report further hereafter.

C. A. CARPENTER,
Chairman.

Ordered passed on file.

Senator Carpenter moved to take up House file No. 166, a bill for an act to amend section 1729 of the Code to enable school boards to furnish the necessary school books for the use of indigent children.

Senator Harsh moved the bill be read a third time now.

Carried.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Downey, Eaton, Ellis, Everall, Finn, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Jamison, Jewett, Kelly, Kilburn, Lewis, Mattoon, Oleson, Penrose, Perrin, Phelps, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Vale, Waterman—41.

The nays were:

None.

Absent or not voting:

Senators Brower, Dent, Hipwell, Hurst, Lehfeldt, Palmer, Perry, Upton, Yeomans—9.

So the bill passed and the title was agreed to.

On motion of Senator Groneweg, Senate file No. 412, by Groneweg, a bill for an act to amend sections 4 and 5 of chapter 151, acts of the Twentieth General Assembly, relating to the duties of park commissioners, and the keeping and disbursing of park funds in cities and towns, was taken up and considered.

Senator Groneweg moved that the bill be read a third time now.

Senator Cheshire offered the following amendment:

Amend section 1 by inserting after the words "fifty-one" the words "acts of the Twentieth General Assembly of the State of Iowa."

Adopted.

Senator Waterman moved that the Senate do now adjourn.

Lost.

Senator Lewis offered the following amendment:

Strike out the words, "of McClain's Code," in the fourth line of the original bill.

Adopted:

The question being, "Shall the bill be read a third time now?"

Carried.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Carpenter, Chantry, Cheshire, Craig, Eaton, Ellis, Everall, Finn, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Jamison, Jewett,

Kelly, Kilburn, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Phelps, Rea, Reynolds, Rigger, Terry, Turner, Vale—38.

The nays were:

Senator Waterman—1.

Absent or not voting:

Senators Boardman, Brower, Conaway, Dent, Downey, Hipwell, Hurst, Lehfeldt, Rowen, Upton, Yeomans—11.

So the bill passed and the title was agreed to.

Senate file No. 285, a bill for an act relative to the licensing of plumbers, and supervision of the business of plumbing, was taken up for consideration.

The question being, shall the bill be read a third time now.

Lost.

The President announced he had signed the following bills in the presence of the Senate:

Senate files Nos. 178, 126, 371, 362, 368, 148,328, 422, 189 and Joint Resolutions Nos. 5 and 7.

Journal of yesterday was read, corrected and approved.

Senator Kelly moved the Senate do now go into executive session.

Carried.

The Senate went into executive session.

Senate reconvened.

Senator Kilburn moved that the Senate do now adjourn.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, April 6, 1894. }

Senate met pursuant to adjournment at 9:00 o'clock A. M., and was called to order by President Dungan.

Prayer was offered by Rev. W. A. Black, of Des Moines.

PETITIONS AND MEMORIALS.

Senator Bishop presented a petition from citizens of Alvord, Iowa, asking amendments to Senate file No. 28.

Referred to Sifting Committee.

Senator Kelly presented a petition from citizens of Iowa asking repeal of the hunters' trespass law.

Referred to Committee on Horticulture and Forestry.

Senator Turner introduced the following joint resolution:

JOINT RESOLUTION NO. 17, RELATIVE TO MISSING CODES.

WHEREAS, Codes belonging to Senators Yeomans and Rowen and the Secretary of the Senate are missing from the Senate chamber; therefore be it

Resolved, by the General Assembly of the State of Iowa, That the Secretary of State be instructed to furnish McClain's Annotated Code, with supplements, to the above named persons.

Joint Resolution No. 17 was read first and second times.

Senator Turner moved that the rules be suspended, and Joint Resolution No. 17 be considered engrossed and read a third time now, which motion prevailed, and the joint resolution was read a third time.

On the question, "Shall the joint resolution be adopted?" the yeas were:

Senators Andrews, Bishop, Boardman, Carpenter, Cheshire, Conway, Craig, Downey, Eaton, Ellis, Everall, Funk, Gorrell, Green, Harmon, Harper, Harsh, Jamison, Jewett, Kelly, Kilburn, Lehfeldt, Lewis, Oleson, Palmer, Perrin, Perry, Phelps, Rea, Rikken, Terry, Turner, Vale, Waterman, Yeomans—35.

The nays were:

None.

Absent or not voting:

Senator Baldwin, Brower, Chantry, Dent, Finn, Garst, Groneweg,

Henderson, Hipwell, Hurst, Mattoon, Penrose, Reynolds, Rowen, Upton—15.

So the bill passed and the title was agreed to.

Senator Perry on the part of the Senate, presented to Secretary Hutchins a handsome chair.

Secretary Hutchins accepted the gift in appropriate words.

Senator Ellis moved that House file No. 139, a bill for an act to amend section 1, chapter 16, acts of the Twenty-Second General Assembly, be taken up for consideration now.

Carried.

Senator Ellis moved that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Bishop, Boardman, Brower, Carpenter, Cheshire, Coneway, Craig, Downey, Ellis, Everall, Funk, Garst, Gorrell, Green, Groneweg, Harmon, Henderson, Jamison, Kilburn, Lehfeldt, Lewis, Oleson, Palmer, Penrose, Perrin, Perry, Rea, Reynolds, Rigger, Turner, Waterman, Yeomans—33.

The nays were:

Senator Finn—1.

Absent or not voting:

Senators Baldwin, Chantry, Dent, Eaton, Harper, Harsh, Hipwell, Hurst, Jewett, Kelly, Mattoon, Phelps, Rowen, Terry, Upton, Vale—16.

So the bill passed and the title was agreed to.

On motion of Senator Carpenter, House file No. 602, a bill for an act to enable cities of the first and second class to issue bonds payable out of special assessments for street improvements, was taken up and considered.

Senator Carpenter moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Carpenter, Cheshire, Conaway, Craig, Downey, Ellis, Everall, Funk, Garst, Green, Harper, Harsh, Hipwell, Jamison, Lehfeldt, Mattoon, Oleson, Palmer, Perrin, Rea, Reynolds, Rigger, Terry, Turner, Vale, Waterman, Yeomans—31.

The nays were:

Senators Eaton, Gorrell, Henderson—3.

Absent or not voting:

Senators Brower, Chantry, Dent, Finn, Groneweg, Harmon, Hurst, Jewett, Kelly, Kilburn, Lewis, Penrose, Perry, Phelps, Rowen, Upton—16.

So the bill passed and the title was agreed to.

REPORTS OF STANDING COMMITTEES.

Senator Turner, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred House file No. 356, a bill for an act to amend chapter 104, laws of 1878, regarding reports of insurance companies to State Auditor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

GEORGE A. TURNER,
Chairman.

Ordered passed on file.

Senator Cheshire, from the Committee on Labor, submitted the following report:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate file No. 323, a bill for an act to require street railway companies to pay their employes each day, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate file No. 304, a bill for an act to protect mechanics, laborers, clerks and servants, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Sifting Committee.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate file No. 79, a bill for an act to amend section 9 of chapter 100, acts of the Sixteenth General Assembly, relating to mechanics' liens, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

THOS. A. CHESHIRE,
Chairman.

Ordered passed on file.

Senator Rigger offered the following resolution:

Resolved, That Senate file No. 232, a bill for an act to facilitate the transfer of real estate and to perfect the title thereof, be referred to the commission to codify the laws of Iowa, without recommendation.

Adopted.

Senator Jewett moved that House file No. 642, a bill for an act to legalize the acts of Lewis Larson in qualifying as director of the inde-

pendent district of Forest City, in the county of Winnebago, Iowa, be recalled from the Sifting Committee for consideration now.

Carried.

Senator Jewett moved that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Brower, Carpenter, Chantry, Craig, Downey, Eaton, Everall, Finn, Funk, Gorrell, Groneweg, Harmon, Harper, Harsh, Henderson, Jewett, Kelly, Kilburn, Lewis, Mattoon, Oleson, Palmer, Perrin, Perry, Reynolds, Rigger, Terry, Turner, Waterman—32.

The nays were:

Senator Garst—1.

Absent or not voting:

Senators Boardman, Cheshire, Conaway, Dent, Ellis, Green, Hipwell, Hurst, Jamison, Lehfeltdt, Penrose, Phelps, Rea, Rowen, Turner, Vale, Yeomans—17.

So the bill passed and the title was agreed to.

Senator Carpenter moved that House file No. 650, a bill for an act authorizing the acceptance of gifts for public institutions of the State, the execution by the Executive Council of contracts relating to such gifts, and the management and control of property so received and held, be taken up for consideration now.

Carried.

Senator Perry offered the following resolution:

Resolved, That the thanks of the Senate are due and hereby tendered Major S. W. Smith, sergeant-at-arms of the Senate, in recognition of his full and faithful discharge of all the duties of his office during the present session, and for his kind and courteous treatment of others, and his gentlemanly conduct under all circumstances and conditions.

Adopted.

Senator Everall offered the following resolution:

Resolved, That the thanks of the Senate be and are hereby returned to the Secretary and assistants, and to the enrolling, engrossing, journal, file and bill clerks of the Senate for the efficient manner in which they have performed the duties of their several offices, and the courteous attention given to each member of the Senate in discharge of the same.

Adopted.

Senator Carpenter moved that House file No. 650 be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Boardman, Brower, Carpenter, Cheshire, Conaway, Craig, Eaton, Ellis, Funk, Garst, Gorrell, Groneweg, Harmon,

Harsh, Hipwell, Jamison, Jewett, Kelly, Kilburn, Lehfeldt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Rea, Reynolds, Rigger, Terry, Turner, Vale, Waterman, Yeomans—35.

The nays were:

Senators Bishop, Finn, Henderson—3.

Absent or not voting:

Senators Andrews, Chantry, Dent, Downey, Everall, Green, Harper, Hurst, Perry, Phelps, Rowen, Upton—12.

So the bill passed and the title was agreed to.

Senator Bishop offered the following:

Resolved, That the thanks of the Senate are hereby tendered to the door-keepers for the efficient manner in which they have discharged the duties of their office.

Adopted.

On motion of Senator Carpenter, House file No. 418, a bill for an act to provide for the publication and distribution of the proceedings of the State Teachers' Associations, was taken up and considered.

Senator Carpenter moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Baldwin, Bishop, Boardman, Carpenter, Cheshire, Conaway, Craig, Downey, Everall, Finn, Funk, Gorrell, Groneweg, Harmon, Harper, Harsh, Henderson, Jamison, Jewett, Kilburn, Lehfeldt, Oleson, Palmer, Penrose, Perrin, Rea, Reynolds, Rigger, Rowen, Turner, Vale, Waterman—32.

Nays, none.

Absent or not voting:

Senators Andrews, Brower, Chantry, Dent, Eaton, Ellis, Garst, Green, Hipwell, Hurst, Kelly, Lewis, Mattoon, Perry, Phelps, Terry, Upton, Yeomans—18.

So the bill passed and the title was agreed to.

On motion of Senator Carpenter House file No. 474, a bill for an act to amend section 1, chapter 85, acts of the Twenty-second General Assembly, was taken up and considered.

Senator Carpenter moved that the rule be suspended and the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Ellis, Everall, Finn, Funk, Gorrell, Harmon, Harper, Harsh, Henderson, Jamison, Jewett,

Kilburn, Lehfelddt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Rea, Rigger, Rowen, Turner, Vale, Waterman, Yeomans—36.

The nays were:

None.

Absent or not voting:

Senators Downey, Eaton, Garst, Green, Groneweg, Hipwell, Hurst, Kelly, Perry, Phelps, Reynolds, Terry, Upton—14.

So the bill passed and the title was agreed to.

Senator Kelly offered the following resolution:

Resolved, That the thanks of the Senate are extended to Hon. Geo. L. Finn for the satisfactory and impartial manner in which he has performed the duties of the president *pro tem.* of the Senate.

Adopted.

Senator Finn, president *pro tem.*, in the chair.

Senator Carpenter moved to take up House file No. 254, a bill for an act to amend section 3735 of the Code of 1873, relating to the manner of taking depositions, for present consideration.

Carried.

Senator Carpenter moved that the rule be suspended and the bill be read a third time now which motion prevailed, and the bill was read third a time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Ellis, Everall, Finn, Funk, Garst, Gorrell, Groneweg, Harmon, Harper, Harsh, Henderson, Lehfelddt, Oleson, Palmer, Perrin, Perry, Rea, Reynolds, Rigger, Turner, Vale, Waterman, Yeomans—32.

The nays were:

None.

Absent or not voting:

Senators Craig, Dent, Downey, Eaton, Green, Hipwell, Hurst, Jamison, Jewett, Kelly, Kilburn, Lewis, Mattoon, Penrose, Phelps, Rowen, Terry, Upton—18.

So the bill passed and the title was agreed to.

REPORT OF SIFTING COMMITTEE.

Senator Carpenter, from the Sifting Committee, submitted the following report:

MR. PRESIDENT—Your Sifting Committee, to whom was referred all bills etc., beg leave to report that they have had the same under consideration and have instructed me to report to the Senate Joint Resolution No. 14, House file No. 283 and House file No. 596.

C. A. CARPENTER,
Chairman.

Ordered passed on file.

INTRODUCTION OF BILLS.

By Senator Cheshire, Senate file No. 424, a bill for an act to amend sections 289 and 290 of the Code of 1873, as amended by Senate file No. 56, approved February 9, 1894, acts of the Twenty-fifth General Assembly of the State of Iowa, relating to the bonding of county indebtedness.

Read first and second times.

Senator Cheshire moved that the rule be suspended, and the bill be considered engrossed and read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Boardman, Carpenter, Chantry, Cheshire, Conaway, Craig, Downey, Ellis, Everall, Finn, Funk, Gorrell, Green, Groneweg, Harmon, Harper, Harsh, Henderson, Jamison, Jewett, Lehfelddt, Lewis, Mattoon, Oleson, Palmer, Penrose, Perrin, Rea, Reynolds, Rigger, Rowen, Terry, Turner, Vale, Waterman, Yeomans—38.

The nays were:

None.

Absent or not voting:

Senators Bishop, Brower, Dent, Eaton, Garst, Hipwell, Hurst Kelly, Kilburn, Perry, Phelps, Upton—12.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

Senator Funk, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate file No. 395, a bill for an act to permit, regulate and control the sale of spirituous, malt, vinous and fermented liquors by county agents, and provide for the better enforcement of existing laws, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

A. B. FUNK,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate file No. 108, a bill for an act to provide for the manufacture and sale in the original package of spirituous, malt, fermented and vinous liquors for lawful purposes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

A. B. FUNK,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate file No. 154, a bill for an act concerning the inspection of intoxicating liquors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

A. B. FUNK,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate file No. 230, a bill for an act to provide for the medical treatment of inebriates, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

A. B. FUNK,
Chairman.

Ordered passed on file.

Senator Carpenter moved to take up House file No. 283, a bill for an act to amend chapter 10, title 3, of the Code of 1873, relating to selecting and drawing jurors.

Carried.

Senator Carpenter offered the following amendment:

Amend House file No. 283, by striking out section 1, and renumbering sections; also amend by adding at the close of section 14 the following, "but this repeal shall not take effect before July 1, 1895."

Adopted.

Senator Carpenter moved the bill be read a third time now.

Carried.

The bill was read a third time.

President Dungan in the chair.

On the question, "Shall the bill pass?" the yeas were:

Senators Andrews, Baldwin, Bishop, Carpenter, Cheshire, Conway, Craig, Downey, Eaton, Everall, Groneweg, Harmon, Harper, Hipwell, Jamison, Jewett, Mattoon, Oleson, Palmer, Penrose, Perrin, Perry, Rea, Rowen, Vale, Waterman, Yeomans—27.

The nays were:

Senators Finn, Funk, Garst, Gorrell, Henderson, Lewis, Reynolds Rikken, Turner—9.

Absent or not voting:

Senators Boardman, Brower, Chantry, Dent, Ellis, Green, Harsh, Hurst, Kelly, Kilburn, Lehfelddt, Phelps, Terry, Upton—14.

So the bill passed and the title was agreed to.

Senator Turner offered the following resolution and moved its adoption:

Resolved, That the Senate postmistress and mailcarrier be retained until April 9, 1894, and to receive the same per diem as they are now receiving.

Adopted.

Senator Carpenter moved that House Joint Resolution No. 14, relative to the appointment of a commission to secure uniform legislation in the United States be taken up for consideration now.

Carried.

Senator Carpenter moved that the joint resolution be read a third time now.

Lost.

On motion of Senator Carpenter, House file No. 596, a bill for an act to legalize official acts of the town council and ordinances of the incorporated town of Correctionville, Woodbury county, Iowa, was taken up and considered.

Senator Carpenter moved that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were:

Senators Boardman, Brower, Carpenter, Cheshire, Conaway, Craig, Eaton, Ellis, Everall, Finn, Funk, Garst, Gorrell, Harmon, Harper, Henderson, Hipwell, Jamison, Lewis, Mattoon, Oleson, Palmer, Perrin, Perry, Rea, Reynolds, Rowen, Terry, Turner, Waterman, Yeomans—31.

Nays, none.

Absent or not voting:

Senators Andrews, Baldwin, Bishop, Chantry, Dent, Downey, Green, Groneweg, Harsh, Hurst, Jewett, Kelly, Kilburn, Lehfeldt, Penrose, Phelps, Rikken, Upton, Vale—19.

So the bill passed and the title was agreed to.

Senator Waterman moved to reconsider the vote by which House Joint Resolution No. 14 was lost.

Carried.

The question being shall House Joint Resolution No. 14 be read a third time now?

Carried.

House Joint Resolution No. 14 was read a third time.

On the question, "Shall House Joint Resolution No. 14 be adopted?" the yeas were:

Senators Andrews, Baldwin, Boardman, Brower, Carpenter, Chantry, Cheshire, Conaway, Craig, Dent, Downey, Ellis, Everall, Funk, Garst, Groneweg, Harmon, Harper, Henderson, Jewett, Kilburn, Perrin, Rowen, Turner, Vale, Yeomans—26.

The nays were:

Senators Bishop, Finn, Green, Kelly, Oleson, Rea, Perry, Yeomans—9.

Absent or not voting:

Senators Eaton, Harsh, Hipwell, Hurst, Jamison, Lehfelddt, Lewis, Mattoon, Palmer, Penrose, Phelps, Reynolds, Rikken, Upton, Waterman—15.

So the joint resolution was adopted.

Senator Andrews moved to take up House messages.

Carried.

HOUSE MESSAGES.

Senator Andrews moved that a conference committee of four be appointed on the part of the Senate on Senate file No. 405.

Carried.

The President appointed as such committee: Senators Andrews, Mattoon, Palmer and Jamison.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the House was asked:

Senate file No. 107, a bill for an act relative to trimming Osage orange hedge fences and repealing all acts or parts of acts in conflict herewith.

Senate file No. 412, a bill for an act to amend sections 4 and 5, chapter 151, acts of the Twentieth General Assembly, relating to the duties of park commissioners, and the keeping and disbursing of park funds in cities and towns.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 405, a bill for an act to amend section 2, chapter 70, acts of the Twenty-fourth General Assembly.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has failed to pass the following bill, in which the concurrence of the House was asked:

Senate file No. 316, a bill for an act relating to certain contracts for the conditional sale, lease or hire of railroad and street railway equipment and rolling stock, and providing for the recording thereof.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Joint Resolution in which the concurrence of the Senate is asked:

Senate Joint Resolution No. 9, in reference to the Republic of Hawaii.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate file No. 423, a bill for an act to amend an act of the Twenty-fifth General Assembly, entitled an act creating the Nineteenth Judicial District, and providing for the election of two district judges therein, etc.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House file No. 374, a bill for an act authorizing courts to appoint attorneys for minor, absent heirs, devisees, legatees or creditors in probate proceedings, and providing for their compensation.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House requests the return of Senate file No. 316.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 424, a bill for an act to amend sections 289 and 290 of the Code of 1873, as amended by Senate file No. 56, approved February 9, 1894, acts of the twenty-fifth General Assembly, relative to the bonding of county indebtedness.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has refused to pass the following bill, in which the concurrence of the House was asked:

Senate file No. 316, a bill for an act relating to certain contracts for the conditional sale, lease or hire of railroad and street railway equipments and rolling stock and providing for the recording thereof.

I. K. WILSON,
Chief Clerk.

Also:

MR. SPEAKER—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 212, a bill for an act to define what shall constitute fra-

ternal societies, orders or associations, to provide for their incorporation, and the regulation of their business; and for the punishment for violation of the provisions of the act of their incorporation, and to repeal all existing acts inconsistent therewith.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the House was asked:

Senate file No. 293, a bill for an act relating to the investment of the funds of life insurance companies and associations and amendatory of section 1179 of the Code, as amended by chapter 94 of the laws of the Twenty-Second General Assembly.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate file No. 6, a bill for an act to provide for the better security of depositors in State and savings banks organized under the laws of Iowa.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the House was asked:

Senate file No. 224, a bill for an act to repeal section 6 of chapter 29, acts of the Twenty-fourth General Assembly, amending section 1132 of the Code of Iowa, relative to insurance, and to enact a substitute therefor in relation to accident insurance.

Senate file No. 281, a bill for an act to amend section 1606 of the Code of Iowa, by enlarging the powers of the board of trustees of the State Agricultural College and farm.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has refused to pass the following bill, in which the concurrence of the House was asked:

Senate file No. 290, a bill for an act to pay the expenses of J. W. Cliff in his contest for the office of Secretary of the Senate of the Twenty-fourth General Assembly.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate file No. 225, a bill for an act to provide for police matrons in all cities of 25,000 inhabitants.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the Senate amendment to the following bills, in which the concurrence of the House was asked:

House file No. 203, a bill for an act to require the clerk of the district court to report to the county auditor all changes of title made by decree of court or by will.

House file No. 208, a bill for an act to amend section 1, chapter 3, acts of the Seventeenth General Assembly.

House file No. 283, a bill for an act to amend chapter 10, title 3, of the Code of 1873, relating to selecting and drawing of jurors.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House insists upon its amendment to the following bill in which the concurrence of the Senate was asked:

Senate file No. 405, a bill for an act to amend section 2 of chapter 70, acts of the Twenty-fourth General Assembly.

The following named gentlemen have been appointed a Conference Committee on the part of the House: Messrs. Mitchell, McNeeley, Blanchard and Robinson.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the House was asked:

Senate file No. 303, a bill for an act to repeal chapter 18 of the acts of the Twenty-fourth General Assembly, relating to taxes in aid of railways and to enact a substitute therefor.

Senate file No. 416, a bill for an act to legalize the acts of the city council and board of public works of the city of Des Moines in entering into certain contracts for paving with the Des Moines Brick Manufacturing Company.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following joint resolution in which the concurrence of the House was asked:

Joint Resolution No. 17, relative to missing codes.

I. K. WILSON,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate file No. 347, a bill for an act to apportion the State into representative districts and declare the ratio of representatives.

I. K. WILSON,
Chief Clerk.

REPORT OF COMMITTEE.

The Joint Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have compared the following bills and handed the same to the Governor for his approval:

Senate file No. 317, an act to repeal chapter 14 of the laws of the Twenty-Third General Assembly, as amended by chapters 9 and 12 of the laws of the Twenty-Fourth General Assembly, relating to paving, curbing, and sewerage in cities under special charters and all cities having a population of 5,000 or over and to enact a substitute therefor.

Senate file No. 87, an act to authorize the building of another cottage on the grounds of the Iowa Hospital for the Insane, at Independence.

Senate file No. 129, an act to amend chapter 44 of the acts of the Twenty-Fourth General Assembly, in relation to warehouse receipts, making the same apply to butter, eggs, cheese, and dressed poultry.

Senate file No. 97, an act to amend section two (2), chapter one hundred and sixty-one (161), acts of the Twenty-first General Assembly.

Senate file No. 411, an act to legalize certain acts of the board of supervisors of Clinton county, Iowa, in relation to the levy of taxes.

Senate file No. 18, an act to amend chapter forty-eight (48) of the acts of the Twenty-second General Assembly, relating to elections held within cities and the registration of voters therein.

Senate file No. 178, an act to limit the compensation of county recorder, and to require the payment of all excess of fees into the county treasury, and to require quarterly reports to and an annual settlement with the county board of supervisors.

Senate file No. 239, an act providing for the breaking and loading of stone by convict labor at Anamosa penitentiary and State quarry to be used in improving highways and streets by macadamizing.

Senate file No. 368, an act to increase the number of judges of the supreme court and providing for the division of said court.

Senate file No. 148, an act authorizing railway corporations to mortgage their property for certain purposes.

Senate file No. 393, an act to legalize the organization of the independent district of Valley Junction, Polk county, Iowa.

Senate file No. 422, an act to legalize the ordinances passed and election held to bond the town of Brooklyn, Poweshiek county, Iowa, for the purpose of erecting water works.

Senate file No. 189, an act to amend sections 2 and 3, chapter 34, acts of the Twenty-third General Assembly, relative to the catching of fish.

Senate file No. 362, an act providing an appropriation for conducting the office of the State Commissioner and for paying expenses thereof.

Senate file No. 371, an act authorizing railway corporations now existing or hereafter created, including consolidated corporations, to provide by law or otherwise for conferring on bondholders the right to vote at corporate elections.

Senate file No. 126, an act to amend section 894, Code of 1873, laws of Iowa.

Senate file No. 370, substitute for House Joint Resolution No. 7, an act to cover money into the State treasury from the Fish Commission.

Substitute for Joint Resolution No. 5, to amend the constitution of the State of Iowa, relative to the manufacture and sale of intoxicating liquors.

Senate file No. 27, an act to repeal chapter 103, of the acts of the Twenty-first General Assembly of the State of Iowa, relating to release of judgments, mortgages and deeds of trust by administrators, executors and guardians in other states and counties, and to enact a substitute therefor.

Senate file No. 418, an act making appropriations for the payment of State and judicial officers, State expenses and other bills, and amendatory of section 2, chapter 134, laws of the Tenth General assembly.

Senate file No. 240, an act to amend section 227, of the Code of 1873, relating to the administering of oaths and the acknowledgment of instruments in writing by notaries public.

House file No. 374, a bill for an act authorizing courts to appoint attorneys for minor and absent heirs, devisees, legatees or creditors in probate proceedings, and providing for their compensation, was read first and second times.

Senator Kelly moved the rules be suspended and the bill be considered now.

Carried.

Senator Kelly moved that the rule be suspended, and the bill be read a third time now which motion prevailed, and the bill was read a third time.

Senator Harmon in the chair.

On the question, "Shall the bill pass?" the yeas were:

Senators Boardman, Brower, Carpenter, Chantry, Cheshire, Conway, Dent, Downey, Ellis, Everall, Funk, Garst, Green, Groneweg, Harmon, Harper, Harsh, Hipwell, Kelly, Kilburn, Lehfelddt, Lewis, Oleson, Rea, Reynolds, Rigger, Terry, Turner, Vale, Waterman, Yeomans—31.

The nays were:

Senators Baldwin, Bishop, Craig, Gorrell, Henderson, Penrose, Perry—7.

Absent or not voting:

Senators Andrews, Eaton, Finn, Hurst, Jamison, Jewett, Mattoon, Palmer, Perrin, Phelps, Rowen, Upton—12.

So the bill passed and the title was agreed to.

Senator Garst moved that House file No. 123, a bill for an act to amend section 2698 of the Code of Iowa in relation to interrogatories annexed to pleadings be taken up for consideration now.

Carried.

Senator Garst moved that House file No. 123 be read a third time now, and on this motion he moved the previous question.

Upon this the yeas and nays were demanded.

On the question, "Shall the main question now be put?" the yeas were:

Senators Cheshire, Funk, Garst, Gorrell, Harmon, Henderson, Hurst, Jewett, Kilburn, Lewis, Penrose—11.

The nays were:

Senators Baldwin, Bishop, Brower, Carpenter, Conaway, Craig, Downey, Ellis, Everall, Groneweg, Harper, Kelly, Palmer, Perry, Rea, Reynolds, Turner, Vale, Waterman—19.

Absent or not voting:

Senators Andrews, Boardman, Chantry, Dent, Eaton, Finn, Green, Harsh, Hipwell, Jamison, Lehfeltdt, Mattoon, Oleson, Perrin, Phelps, Rikken, Rowen, Terry, Upton, Yeomans—20.

So the Senate refused to order the previous question.

Senator Lewis offered the following resolution:

Be it Resolved by the Senate of Iowa, That the Executive Council be authorized to audit the bills incurred on account of the reception tendered General George W. Jones; such bills not to exceed one hundred dollars in the aggregate.

Adopted.

Senator Ellis offered the following resolution:

Resolved, That the Senate appreciates the very able manner in which the secretary and all his corps of assistants, as well as the clerks and all employes of the Senate committees have performed their duties. We shall carry with us to our homes pleasant recollection of their cheerful faithfulness.

Adopted.

Senator Perry moved that the Senate take a recess of thirty minutes

Senator Conaway moved to amend by making the time subject to the call of the President.

Accepted and carried.

Senator Lewis moved that the House be granted consent to recall Senate file No. 316.

Carried.

Senator Bishop offered the following concurrent resolution:

CONCURRENT RESOLUTION RELATIVE TO CONFERENCE COMMITTEE TO INFORM THE GOVERNOR THE GENERAL ASSEMBLY IS READY TO ADJOURN SINE DIE.

Resolved by the Senate, the House concurring, That a committee of two be appointed to act with a like committee on the part of the House to inform the Governor that the General Assembly is now ready to adjourn without date and ascertain if he has any further communication to make to the General Assembly before adjournment.

Adopted.

The President appointed Senators Bishop and Eaton as such committee.

Senate reconvened at 11:50 A. M., President Dungan presiding.

REPORT OF COMMITTEE.

The Committee of Conference submitted the following report:

MR. PRESIDENT—Your Committee of Conference, to whom was referred Senate file No. 405, a bill for an act to amend section 2, chapter 70, acts of the Twenty-fourth General Assembly, beg leave to report that they have had the same under consideration and report the same back to the Senate with the recommendation that the amended substitute be adopted and that when so adopted the same do pass.

H. F. ANDREWS,
Chairman.

House substitute for Senate file No. 405 was read first and second times.

Senator Andrews moved the rules be suspended, the bill considered engrossed and read a third time now.

Upon this the yeas and nays were demanded.

On the question "Shall the bill be read a third time now?" the yeas were:

Senators Andrews, Cheshire, Craig, Eaton, Ellis, Everall, Finn, Gorrell, Groneweg, Harmon, Harper, Jamison, Kilburn, Mattoon, Palmer, Perrin, Phelps, Rigger—18.

The nays were:

Senators Baldwin, Bishop, Boardman, Brower, Chantry, Conaway, Funk, Garst, Green, Henderson, Kilburn, Lewis, Mattoon, Penrose, Rea, Reynolds, Rowen, Turner, Vale, Waterman—20.

Absent or not voting:

Senators Carpenter, Dent, Downey, Harsh, Hipwell, Hurst, Kelly, Oleson, Perry, Terry, Upton, Yeomans—12.

So the motion was lost.

Senator Mattoon moved that the correction of the journal of to-day be left to the secretary to correct.

Carried.

Senator Andrews moved the Senate take a recess subject to the call of the president.

Carried.

The committee appointed to wait upon the Governor appeared and submitted the following report:

MR. PRESIDENT—Your committee appointed to notify His Excellency, the Governor of the State of Iowa, that the Senate is about to adjourn *sine die*, has performed that duty and report that the Governor has no further communication or message to the Senate.

L. H. BISHOP,
WILLIAM EATON.

Senator Kilburn moved that another Conference Committee be

appointed by the Senate to consult with the Conference Committee of the House on Senate file No. 405.

Carried.

The President appointed Senators Kilburn, Harmon, Reynolds and Perry as such committee.

Senator Everall moved that the Senate take a recess subject to the call of the chair.

Carried.

Recess.

Senate reconvened.

The President announced that he had signed the following bills in the presence of the Senate:

Senate files No. 240, 27, 239, 418; House files No. 236, 645, 520, 627, 631, 643, 652, 625, 654, 218, 635, 45, 372, 227; Senate files No. 423, 281, 303, 416; Joint Resolutions No. 9 and 17; House files No. 602, 79, 324, 203, 139, 39, 166, 418, 254, 208, 474; Senate files No. 224, 293, 6, 424, 225, 412, 107; House files No. 374, 650, 596, 642, 117, 550, 283, 14, 212.

WARREN S. DUNGAN,
President of the Senate.

Senator Vale moved that the Senate take a recess subject to call of the chair.

Carried.

Recess.

The Senate reconvened.

The President announced that he had signed the following bills in the presence of the Senate:

Senate files No. 212, 347, 225, 107, 412, 424, 316.

WARREN S. DUNGAN,
President of the Senate.

REPORT OF COMMITTEE.

Senator Kilburn, from the Committee on Conference on Location of Soldiers' Monument, submitted the following report:

MR. PRESIDENT—Your Committee on Conference on Location of Soldiers' Monument, beg leave to report that they have met a like committee from the House, and have instructed me to report the attached bill back to the Senate with the recommendation that it do pass.

L. M. KILBURN,
Chairman.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 655, a bill for an act to amend section 2 of chapter 70 of the acts of the Twenty-fourth General Assembly.

I. K. WILSON,
Chief Clerk.

Senator Kilburn moved to take up House messages.

Carried.

HOUSE MESSAGES.

House file No. 655, a bill for an act to amend section 2 of chapter 70 of the acts of the Twenty-fourth General Assembly, was read first and second times.

Senator Kelly moved to take up House file No. 655 for consideration now.

Carried.

Senator Kelly moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Senator Jamison moved the previous question.

Upon this the yeas and nays were demanded.

On the question, "Shall the main question be now put?" the yeas were:

Senators Andrews, Carpenter, Craig, Ellis, Finn, Gorrell, Harmon, Harper, Jamison, Kelly, Kilburn, Mattoon, Penrose, Perrin, Perry, Reynolds—16.

The nays were:

Senators Baldwin, Bishop, Brower, Chantry, Cheshire, Conaway, Downey, Everall, Garst, Green, Groneweg, Henderson, Lehfeldt, Lewis, Palmer, Rea, Turner, Vale, Waterman—19.

Absent or not voting:

Senators Boardman, Dent, Eaton, Funk, Harsh, Hipwell, Hurst, Jewett, Oleson, Phelps, Rikken, Rowen, Terry, Upton, Yeomans—15.

So the motion was lost.

REPORT OF COMMITTEE.

The Joint Committee on Enrolled Bills submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined the following bills and handed the same to the Governor for his approval:

Senate file No. 423, an act to amend an act of the Twenty-fifth General Assembly, entitled an act creating the nineteenth judicial district, and providing for the election of two district judges therein, etc.

Joint Resolution No. 9 in reference to the Republic of Hawaii.

Senate file No. 416, an act to legalize the acts of the city council and board of public works of the city of Des Moines in entering into certain contracts for paving with the Des Moines Brick Manufacturing Company

Senate file No. 303, an act to repeal chapter eighteen of the acts of the Twenty-fourth General Assembly, relating to taxes in aid of railways, and to enact a substitute therefor.

Joint Resolution No. 17, relative to missing codes.

Senate file No. 281, an act to amend section 1606 of the Code of Iowa, by enlarging the powers of the board of trustees of the State Agricultural College and farm.

Senate file No. 224, an act to repeal section 6, of chapter 27, acts of the Twenty-fourth General Assembly, amending section 1132 of the Code of Iowa of 1873, relative to insurance, and to enact a substitute therefor in relation to accident or casualty insurance.

Senate file No. 6, an act to provide for the better security of depositors in State and savings banks organized under the laws of Iowa.

Senate file No. 293, an act relating to the investment of the funds of life insurance companies, and amendatory of section 1179 of the Code, as amended by chapter 94 of the laws of the Twenty-second General Assembly.

Senate file No. 212, an act to define fraternal beneficiary societies, orders or associations, to provide for their incorporation and the regulation of their business, and for the punishment for violation of the provisions of the act of their incorporation, and to repeal all existing acts inconsistent therewith.

Senate file No. 347, an act to apportion the State into representative districts and declare the ratio of representation.

Senate file No. 225, an act to provide for police regulations in all cities of 25,000 inhabitants.

Senate file No. 107, an act relative to trimming osage orange hedge fences, and repealing all acts and parts of acts in conflict therewith.

Senate file No. 412, an act to amend section 4 and 5 of chapter 15, acts of the Twentieth General Assembly, relating to the duties of Park Commissioners, and the keeping and disposing of park funds in cities and towns.

Senate file No. 424, an act to amend section 289 and 290, of the Code of 1873, as amended by Senate file No. 56, acts of the Twenty-Fifth General Assembly of the State of Iowa, relating to the bonding of county indebtedness.

Senate file No. 316, an act relating to certain contracts for the conditional sale, lease, or hire of railroad and street railway equipments and rolling stock and providing for the recording thereof.

A committee from the House appeared and notified the Senate that the House was ready to adjourn.

The President appointed as a committee to notify the House that the Senate was ready to adjourn, Senators Harmon, Waterman and Groneweg.

Committee retired.

Committee returned and announced duty performed.

Lieutenant-Governor Dungan made a few closing remarks to the Senate, after which, the hour of 12:00 o'clock M., having arrived the President declared the Senate adjourned *sine die*.

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ERRATA.

On page xx: S. F. 324, title is omitted. It should be "Amending chapter 6, title 11 of Code of 1873, and chapter 35 of the acts of Twenty-third General Assembly."

On page xxii: S. F. 370, title is omitted: It should be "To cover into the State treasury certain moneys expended by State Fish Commission."

On page xxiv: S. F. 415, the correct word is "for" not "from"; "gifts for public," etc.

On page 2: Senator Lehfeltdt's district is "34th" not "37th."

On page 15: "House message" should be omitted and the words "committee from the House" substituted.

On page 51: The figure "1" should appear before the word "relative" in "message from the House."

On page 73: After the word "carried" in the 7th line from the bottom of the page there should appear the words, "joint resolution was read first and second times."

On page 89: Under the caption "third reading of bills" the word "reading" should be substituted for the first word "resolution."

On page 102: After the word "carried" at the bottom of the page there should appear the words "The bill was read first and second times."

On page 121: After the words "message read" there should appear the words "The bill was read first and second times."

On page 122: In the 16th line from the bottom of the page the "a" should be stricken out and the words "first and" substituted. In the same line the word "time" should be "times."

On page 125: The word "expediate" should be "expedite."

On page 127: In the resolution offered by Senator Penrose, the word "Senate" (the last word in the resolution) should be "Secretary."

On page 143: S. F. "135" should be "185."

On page 145: At the conclusion of the joint resolution near the top of the page there should appear the words, "Read first and second times and passed on file."

On page 147: Before the words "Bills on third reading" there should appear the words: "On motion of Senator Waterman, joint resolution No. 2 was referred to the Judiciary Committee."

On page 156: The first four lines on the page, commencing with the word "rules" (6th word, 1st line) should be expunged.

On page 192: S. F. "244" should be S. F. "245."

On page 201: H. F. "16" should be H. F. "116."

On page 207: S. F. "35" should be S. F. "162."

On page 275: Under title S. F. 295 (second S. F. under "introduction of bills,") the words "rules suspended, considered engrossed, read third time and passed the Senate, yeas 39, nays 0," should be expunged.

On page 276: After word "considered," in third line, there should be added the words "rules suspended."

On page 280: At the bottom of the page there should be added the words, "so the joint resolution passed and the title was agreed to."

On page 284: At the conclusion of the joint resolution there should be added the words, "Read first and second times and referred to Committee on Charitable Institutions."

On page 286: H. F. "56" should be "66."

On page 330: H. F. "277" should be "227."

On page 332: In the last committee report on the page, "H. F. No. 243," should be "S. F. No. 243."

On page 360: The comma between the figures "5" and "8," and also the figure "4," should be expunged. The section No. is "2580."

On page 382: The committee report on "H. F. 327," should be "S. F. 327."

On page 389: In the eighth line from the bottom, the second letter "s" in the word "president," should be erased.

On page 390: "Afternoon session," President Dungan should be mentioned as in the chair.

On page 396: The date in upper corner of page should be March "9" instead of "7."

On page 448: (bottom of page) joint resolution should be No. "11" instead of No. "1."

On page 449: After the words "the joint resolution is now Senate File No. 370" there should appear the title: "A bill for an act to cover into the State treasury certain moneys unexpended by State Fish Commission."

On page 461: The second word "in" should be expunged—"Senator Perrin in the chair."

On page 466: Fourth line the word "is" should be "was."

On page 492: The date in upper corner of page should be "March 15" instead of "March 12."

On page 495: In the title to S. F. 377 the word "Code" should be "Acts."

On page 500: After "Senate file No. 324" add the words "failed to"; also the word "passed" should be "pass."

On page 532: "House" file 143 should be "Senate file."

On page 551: Under House messages House file "338" should be "388."

On page 561: In paragraph beginning with "House file No. 34," after the word "recommending" there should be added "S. F. 269 as."

On page 571: In last report of Committee on Enrolled Bills the letter "r" should be substituted for the letter "s" in the word "approval."

On page 601: The last three lines of the page should be expunged.

On page 602: "House file No. 36" should read "Senate file No. 384."

On page 623: In the message from the House at the bottom of the page (second line in the message) the second word "House" should be "Senate" and the word "was" should be "is"; also "Senate file No. 220" should be "House file."

On page 624: The second letter "i" in the word "Riggen" should be "g."

On page 631: In House message, Senate File "58" should be "38."

On page 632: Senate File "112" should be Senate File "36."

On page 658: The word "McLain" should be "McOlain."

On page 675: Senate File No. "248" should be "249."

On page 688: In ninth line the words "read first and second times and" should be expunged.

On page 703: In Senator Lewis' request to withdraw motions, the letters "S. F." should be inserted before "407" and the letter "s" in the word "files" in same line should be erased.

On page 715: In Senate File 415 the word "from" should be "for."

On page 727: The word "one" in resolution of Senator Reynolds should be erased.

On page 735: "Senate File No. 599" should be "House File."

On page 747: All under the caption "introduction of bills" should be expunged except the last line on the page commencing "By Committee on Appropriations."

On page 770: After first word "House," in second line, there should be a comma.

On page 771: At end of ninth line the period should be erased and these words added: "and referred to Sifting Committee."

On page 776: In the fifth message from the House, the word "Senate," in second line of the message, should be "House."

On page 793: In fifth paragraph from bottom of page the figures "38" should be "85."

On page 802: The word "clerk" should be "secretary."

On page 805: S. F. "379" should be "369."

On page 813: S. F. "323" should be "233."

On page 819: In thirteenth line from bottom of page, after the word "which," there should be inserted the words, "the third reading of."

On page 821: In second House message from bottom of page the words, "refused to," should be erased, and the letters, "ed," added to the word "pass," in same line.

